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SALUS POPULI SUPREMA LEX ESTO

*“The welfare of the people shall be the supreme law.”*



ROBIN CARNAHAN

SECRETARY OF STATE

MISSOURI  
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2005.

## EXECUTIVE ORDER

06-20

WHEREAS, severe storms occurred on March 30 and April 2, 2006, causing numerous tornadoes, high winds, hail, extremely heavy thunderstorms and flooding, across the entire state of Missouri, including the counties of Andrew, Atchison, Cooper, Dunklin, Holt, Marion, Monroe, New Madrid, Pemiscot, Pettis, Ralls, Shelby, Stoddard, St. Charles and St. Louis County; and

WHEREAS, this severe natural disaster has already resulted in extensive economic and human damage across the aforementioned counties, including, as of the time of this Executive Order, 3 deaths, more than 25 injuries, destruction of 60% of the City of Caruthersville, Missouri, the widespread interruption of electrical power to public utility customers across the aforementioned affected counties, and the temporary relocation of hundreds of persons from these counties, which will eventually require the return of these displaced persons to their homes; and

WHEREAS, these extreme weather conditions, and the resulting destruction of property, interruption of essential human services, and potential dangers to and loss of human life, now require and will continue to require a massive public and private response to provide immediate, emergency assistance and continuing emergency relief to individual persons, businesses, and local governmental units in need of transportation for food, supplies, tools, equipment, medicine, public and private health care, law enforcement, security services, public utility services, sanitation and waste disposal, cleanup of debris, property restoration and reconstruction, and other necessities, which threatens to overload the available transportation systems to, from, and within these affected states; and

WHEREAS, on April 3, 2006, I declared a state of emergency for the entire State of Missouri and directed the Missouri State Emergency Operations Plan be activated; and

WHEREAS, the safety and welfare of the citizens of the aforementioned affected Missouri counties require that operators of commercial motor carriers upon the public highways within Missouri, who are rendering assistance to the emergency efforts within the affected counties, should be allowed more rapid and efficient travel to meet this emergency need for transportation of passengers and property; and

WHEREAS, this requirement for more rapid and efficient transportation would be facilitated by the temporary suspension of certain usual and necessary federal and state laws, regulations and administrative rule requirements for the drivers of commercial motor vehicles, while they are transporting property and passengers to assist in the emergency relief efforts.



NOW THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby declare that I acknowledge the existence of a regional state of emergency, within the meaning of Title 49, Code of Federal Regulations, Section 390.23(a)(1), within the counties of Andrew, Atchison, Cooper, Dunklin, Holt, Marion, Monroe, New Madrid, Pemiscot, Pettis, Ralls, Shelby, Stoddard, St. Charles and St. Louis County, as a result of the severe weather conditions described above; and

FURTHER, I direct that the commercial motor vehicle federal regulatory requirements relating to drivers hours of service requirements in Title 49, Code of Federal Regulations, shall be suspended for the duration of this Executive Order; and

FURTHER, I direct that the commercial motor vehicle regulatory requirements regarding the purchase of trip permits for registration and fuel for commercial motor carriers engaged in intrastate disaster relief efforts in the counties of Andrew, Atchison, Cooper, Dunklin, Holt, Marion, Monroe, New Madrid, Pemiscot, Pettis, Ralls, Shelby, Stoddard, St. Charles and St. Louis County, shall be waived; and

FURTHER, I direct that the issuance of overdimension and overweight permits by the Missouri Department of Transportation for commercial motor carriers engaged in intrastate disaster relief efforts in the counties of, Andrew, Atchison, Cooper, Dunklin, Holt, Marion, Monroe, New Madrid, Pemiscot, Pettis, Ralls, Shelby, Stoddard, St. Charles and St. Louis County shall be subject to the following interim application requirements in obtaining such a permit:

The permittee will be required to supply:

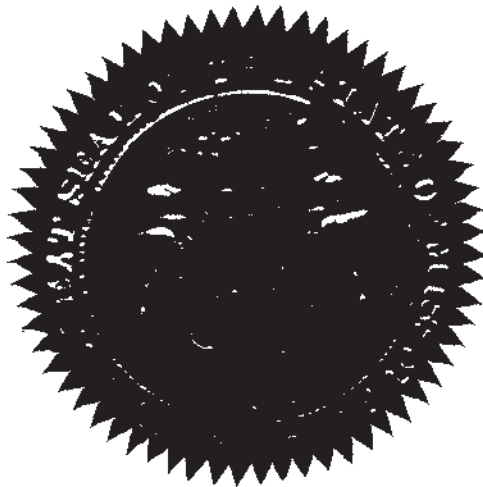
Year, Make and License plate number of the power unit and trailer;  
Size, Make and Serial Number (last 4 digits) of commodity being hauled;  
Origin, Destination and Consecutive Routing;  
Overall Width, Height, Length and length of trailer and load only; and  
Date of Movement.

The permit process can be expedited by calling:

800-877-8499  
573-526-5314; or  
573-526-5312.

However, this Executive Order shall not suspend the applicability of the standard permit fee requirements; and

FURTHER, I direct that the effective date of this Executive Order shall begin on April 5, 2006, and such Executive Order shall continue in effect until May 3, 2006, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 5th day of April, 2006.

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive style with a large, stylized "M" and "B".

---

**Matt Blunt**  
Governor

**ATTEST:**

A handwritten signature in black ink that reads "Robin Carnahan". The signature is written in a cursive style with a large, stylized "R" and "C".

---

**Robin Carnahan**  
Secretary of State

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 4—Wildlife Code: General Provisions**

**PROPOSED AMENDMENT**

**3 CSR 10-4.111 Endangered Species.** The commission proposes to amend subsection (3)(A).

*PURPOSE: This amendment removes mountain lion as a mammal designated as endangered in Missouri.*

(3) For the purpose of this rule, endangered species of wildlife and plants shall include the following native species designated as endangered in Missouri:

(A) Mammals: gray bat, Ozark big-eared bat, Indiana bat, *[mountain lion,]* black-tailed jackrabbit, spotted skunk.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed Aug. 15, 1973, effective Dec. 31, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed April 17, 2006.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 9—Wildlife Code: Confined Wildlife:  
Privileges, Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.110 General Prohibition; Applications.** The commission proposes to amend subsections (1)(B) and (3)(F).

*PURPOSE: This amendment updates the reference to the Missouri Species and Communities of Conservation Concern Checklist, and adds the Pacific white shrimp to the Approved Aquatic Species List.*

(1) Possession of Native Species.

(B) Native invertebrates listed in the January [2005] 2006 edition of the Missouri Species and Communities of Conservation Concern Checklist may only be collected and held by holders of a Wildlife Collector's Permit and only as prescribed in 3 CSR 10-9.425. The Checklist is adopted as a part of this Code and by this reference is herein incorporated. A printed copy of this booklet can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and is online at [www.missouriconservation.org](http://www.missouriconservation.org). This rule does not incorporate any subsequent amendments or additions to the Checklist.

(3) Fish, tiger salamander larvae and crayfish may be bought, sold, transported, propagated, taken and possessed by any person without permit throughout the year in any number or size and by any method providing—

(F) Approved Aquatic Species List.

1. Fishes.

- A. Shovelnose sturgeon (*Scaphirhynchus platyrhynchus*)
- B. Paddlefish (*Polyodon spathula*)
- C. Spotted gar (*Lepisosteus oculatus*)
- D. Longnose gar (*Lepisosteus osseus*)
- E. Shortnose gar (*Lepisosteus platostomus*)
- F. Bowfin (*Amia calva*)
- G. American eel (*Anguilla rostrata*)
- H. Gizzard shad (*Dorosomacepedianum*)
- I. Threadfin shad (*Dorosoma petenense*)
- J. Rainbow trout (*Oncorhynchus mykiss*)
- K. Golden trout (*Oncorhynchus aquabonita*)
- L. Cutthroat trout (*Oncorhynchus clarkii*)
- M. Brown trout (*Salmo trutta*)
- N. Brook trout (*Salvelinus fontinalis*)



- O. Coho salmon (*Oncorhynchus kisutch*)
- P. Northern pike (*Esox lucius*)
- Q. Muskellunge (*Esox masquinongy*)
- R. Goldfish (*Carassius auratus*)
- S. Grass carp (*Ctenopharyngodon idella*)
- T. Common carp (*Cyprinus carpio*)
- U. Bighead carp (*Hypophthalmichthys nobilis*)
- V. Golden shiner (*Notemigonus crysoleucas*)
- W. Bluntnose minnow (*Pimephales notatus*)
- X. Fathead minnow (*Pimephales promelas*)
- Y. River carpsucker (*Cariodes carpio*)
- Z. Quillback (*Cariodes cyprinus*)
- AA. White sucker (*Catostomus commersoni*)
- BB. Blue sucker (*Cycleptus elongatus*)
- CC. Bigmouth buffalo (*Ictiobus cyprinellus*)
- DD. Black bullhead (*Ameiurus melas*)
- EE. Yellow bullhead (*Ameiurus natalis*)
- FF. Brown bullhead (*Ameiurus nebulosus*)
- GG. Blue catfish (*Ictalurus furcatus*)
- HH. Channel catfish (*Ictalurus punctatus*)
- II. Flathead catfish (*Pylodictis olivaris*)
- JJ. Mosquitofish (*Gambusia affinis*)
- KK. White bass (*Morone chrysops*)
- LL. Striped bass (*Morone saxatilis*)
- MM. Green sunfish (*Lepomis cyanellus*)
- NN. Pumpkinseed (*Lepomis gibbosus*)
- OO. Warmouth (*Lepomis gulosus*)
- PP. Orangespotted sunfish (*Lepomis humilis*)
- QQ. Bluegill (*Lepomis macrochirus*)
- RR. Longear sunfish (*Lepomis megalotis*)
- SS. Redear sunfish (*Lepomis microlophus*)
- TT. Smallmouth bass (*Micropterus dolomieu*)
- UU. Spotted bass (*Micropterus punctulatus*)
- VV. Largemouth bass (*Micropterus salmoides*)
- WW. White crappie (*Pomoxis annularis*)
- XX. Black crappie (*Pomoxis nigromaculatus*)
- YY. Yellow perch (*Perca flavescens*)
- ZZ. Sauger (*Sander canadensis*)
- AAA. Walleye (*Sander vitreus*)
- BBB. Freshwater drum (*Aplodinotus grunniens*)
- 2. Crustaceans.
  - A. Freshwater prawn (*Macrabrachi um rosenbergii*)
  - B. Pacific white shrimp (*Litopenaeus vannamei*)**
  - [B.] C. Northern crayfish (*Orconectes virilis*)
  - [C.] D. White river crayfish (*Procamarusacutus*)
  - [D.] E. Red swamp crayfish (*Procam barusclarkii*)
  - [E.] F. Papershell crayfish (*Orconectes immunis*)
- 3. Amphibians.
  - A. Tiger salamander larvae (*Ambystoma tigrinum*)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-4.110(5), (6) and (10). Original rule filed June 26, 1975, effective July 7, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 17, 2006.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be

received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 9—Wildlife Code: Confined Wildlife:**  
**Privileges, Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.565 Licensed Hunting Preserve: Privileges.** The commission proposes to amend paragraphs (1)(A)2., (1)(B)1. and, (1)(B)7. of this rule.

**PURPOSE:** This amendment editorially corrects the proper reference to the small game hunting permit; provides minimum fencing specifications for hogs held for hunting under licensed hunting preserve permits; and, deletes paragraph (1)(B)7., which is duplicated in section (1).

(1) Licensed hunting preserves are subject to inspection by an agent of the department at any reasonable time. Animal health standards and movement activities shall comply with all state and federal regulations. Any person holding a licensed hunting preserve permit may release on his/her licensed hunting preserve legally acquired pheasants, exotic partridges, quail and ungulates (hoofed animals) for shooting throughout the year, under the following conditions:

(A) Game Bird Hunting Preserve.

1. The game bird hunting preserve shall be a single body of land not less than one hundred sixty (160) acres and no more than six hundred forty (640) acres in size. Game bird hunting preserves may be dissected by public roads, and shall be posted with signs specified by the department. Hunting preserve permits will not be issued for areas—

A. Within five (5) miles of any area where there is an ongoing department game bird release program or where the most recent release of department game birds has been made less than five (5) years prior to receipt of the application.

B. In any location where those activities are considered by the department as likely to further jeopardize any species currently designated by Missouri or federal regulations as threatened or endangered wildlife.

2. Any person taking or hunting game birds on a licensed hunting preserve shall have in his/her possession a valid [hunting] small game hunting permit or licensed hunting preserve hunting permit, except that persons fifteen (15) years of age or younger, when accompanied by a properly licensed adult hunter, and residents sixty-five (65) years of age and older, may hunt without permit. Licensed hunting preserve hunting permits may be issued to persons without requiring display of a hunter education certificate card for use on game bird hunting preserves; provided s/he is hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card.

3. Game birds taken on a hunting preserve may be possessed and transported from the preserve only when accompanied by a receipt listing the date, number and species taken, and name of the hunting preserve; or when accompanied by an approved transportation sticker for each game bird taken. Transportation stickers must be purchased from the department by the hunting preserve permittee. Game birds may be taken in any numbers on these preserves.

4. The permittee must release during the shooting season at least one (1) game bird per acre of hunting preserve, with at least one-half (1/2) of the birds to be bobwhite quail, if quail are to be hunted outside the statewide season. All birds shall be from a source approved by the department.

5. The permittee may exercise privileges provided in 3 CSR 10-9.353 for game birds held under this permit in propagation facilities

within or directly adjacent to the game bird hunting preserve. Propagation facilities may be separated from the hunting preserve by a public road, but must be directly adjacent. Any such propagation facilities shall meet standards specified in 3 CSR 10-9.220. Other propagation facilities not contained within or directly adjacent to the hunting preserve are not covered under the privileges of this rule.

(B) Big Game Hunting Preserve.

1. The big game hunting preserve for ungulates shall be a fenced single body of land, not dissected by public roads, and not less than three hundred twenty (320) acres and no more than three thousand two hundred (3,200) acres in size. The hunting preserve shall be fenced so as to enclose and contain all released game and exclude all hoofed wildlife of the state from becoming a part of the enterprise and posted with signs specified by the department. Fence height shall meet standards specified in 3 CSR 10-9.220. **Fencing for hogs shall be constructed of twelve (12) gauge woven wire, at least five feet (5') high, and topped with one (1) strand of electrified wire. An additional two feet (2') of such fencing shall be buried and angled underground toward the enclosure interior. A fence of equivalent or greater strength and design to prevent the escape of hogs may be substituted with written application and approval by an agent of the department.**

2. All elk, elk-hybrids, mule deer, and white-tailed deer introduced into a big game hunting preserve shall meet the following requirements:

A. Animals shall be tagged or marked in a method allowing each individual animal to be uniquely identified.

B. Animals imported into Missouri must come from a herd that is enrolled and has achieved a status two or higher in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—two (2) years of surveillance, advancement, and successful completion of program requirements.

C. Animals from within Missouri must come from a herd comprised of animals enrolled in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program.

3. Effective January 1 of each year, one hundred percent (100%) of all elk, elk-hybrids, mule deer, and white-tailed deer over twelve (12) months of age that die of any cause within a big game hunting preserve operation, shall be tested for chronic wasting disease at a federally approved laboratory, up to an annual total of ten (10) animals in the aggregate, except:

A. No testing is required for big game hunting preserve operations that have not introduced, during the past three (3) years, any elk, elk-hybrids, mule deer or white-tailed deer from a herd having a status less than three as documented through a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—three (3) years of surveillance, advancement, and successful completion of program requirements.

B. No testing is required for elk, elk-hybrids, mule deer, and white-tailed deer documented through Missouri's chronic wasting disease monitoring program as from a status five herd—five (5) years of surveillance, advancement, and successful completion of program requirements.

C. One hundred percent (100%) of all elk, elk-hybrids, mule deer and white-tailed deer that are imported into Missouri that are from a herd having a status less than three as documented through a United States Department of Agriculture or state-sponsored chronic wasting disease monitoring program that die of any cause within a big game hunting preserve shall be tested for chronic wasting disease at a federally approved laboratory.

4. All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.

5. The permittee may exercise privileges provided in 3 CSR 10-9.353 only for species held within breeding enclosure(s) contained within or directly adjacent to the big game hunting preserve. Any such breeding enclosure(s) shall meet standards specified in 3 CSR 10-9.220. Breeding enclosures may be separated from the hunting preserve by a public road, but must be directly adjacent. Other breeding enclosures not contained within or directly adjacent to the hunting preserve are not covered under the privileges of this rule.

6. Any person taking or hunting ungulates on a big game hunting preserve shall have in his/her possession a valid licensed hunting preserve hunting permit. The permittee shall attach to the leg of each ungulate taken on the hunting preserve a locking leg seal furnished by the department, for which the permittee shall pay ten dollars (\$10) per one hundred (100) seals. Any packaged or processed meat shall be labeled with the licensed hunting preserve permit number.

[7. *Animal health standards and movement activities shall comply with all state and federal regulations.*]

[8.] 7. Big game hunting preserve permittees shall report escaped animals immediately to an agent of the department.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-10.765. Original rule filed Jan. 19, 1972, effective Feb. 1, 1972. For intervening history, please consult the Code of State Regulations. Amended: Filed April 17, 2006.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Division 50—Workers' Compensation Chapter 2—Procedure

### PROPOSED RESCISSION

**8 CSR 50-2.060 Performance Standards for Administrative Law Judges and Legal Advisors.** This rule established the conduct, performance and productivity standards for administrative law judges and legal advisors.

*PURPOSE: The division proposes to rescind this rule. Senate Bills 1 and 130 created an Administrative Law Judge Review Committee (the committee). The division director in conjunction with the committee is required to conduct a performance audit of all administrative law judges. In addition, the division director in conjunction with the committee shall establish written performance audit standards. A new proposed rule that sets forth the written performance audit standards that will be used for the administrative law judges is published in this issue of the Missouri Register.*

*AUTHORITY: section 287.610.2, RSMo Supp. 1998. Emergency rule filed Dec. 21, 1998, effective Jan. 1, 1999, expired June 29, 1999. Original rule filed Dec. 21, 1998, effective June 30, 1999. Rescinded: Filed April 12, 2006.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Division of Workers' Compensation, Attn: Patricia "Pat" Secrest, PO Box 58, Jefferson City, MO 65102-0058. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 8—DEPARTMENT OF LABOR AND  
INDUSTRIAL RELATIONS  
Division 50—Division of Workers' Compensation  
Chapter 2—Procedure**

**PROPOSED RULE**

**8 CSR 50-2.060 Performance Standards for Administrative Law Judges**

*PURPOSE: This rule establishes the performance standards for administrative law judges to be used in performance audits as mandated by section 287.610, RSMo.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) The director of the Division of Workers' Compensation shall perform an annual evaluation of all the chief administrative law judges. The chief administrative law judge of each local office shall perform an annual evaluation of all administrative law judges in the local office based on the standards adopted by the Administrative Law Judge Review Committee and set forth in this rule. The annual evaluations will be presented to the Administrative Law Judge Review Committee who will conduct a performance audit.

(2) The administrative law judges will be evaluated in the following areas and held to the standards set forth herein.

**(A) Managing for Performance.**

1. In section 287.203, RSMo hearings a decision is issued within thirty (30) days of the date of the hearing.

2. For all other hearings, except medical fee disputes on reasonableness, an administrative law judge shall issue a written award within ninety (90) days of the last day of the hearing. The hearing shall be concluded within thirty (30) days of the commencement of the hearing, except in extraordinary circumstances where a lengthy trial or complex issues necessitates a longer time than ninety (90) days.

**(B) Meeting the Needs of Customers and Shareholders.**

1. Ensures timely completion of work where applicable—

A. Decision to approve or deny a request for hearing is made within twenty (20) working days after receipt of a request;

B. Hearings are concluded within thirty (30) days of the commencement of the hearing, except in extraordinary circumstances where a lengthy trial or complex issues necessitates a longer time;

C. Date of hearing assigned for each case will be no more than one hundred twenty (120) days after the date that the request for hearing is approved, unless all parties agree otherwise; and

D. Upon receipt of a request, all cases will be set for conference, prehearing or mediation within one hundred twenty (120) days.

2. Ensures that employees and employers as well as their representative are treated in a respectful and courteous manner in accordance with the *Code of Judicial Conduct for Missouri Workers'*

*Compensation Administrative Law Judges* and Missouri Supreme Court Rule 2.

3. Establishes and maintains regular office hours which ensure accessibility to customers and shareholders.

4. Makes oneself available to and actively participate in meetings, seminars and/or conferences of employer and employee groups.

**(C) Professional Development and Conduct.**

1. Ensures ethical standards are maintained and followed, to include adherence to the guidelines outlined in both the Rules of Professional Conduct as well as the *Code of Judicial Conduct for Missouri Workers' Compensation Administrative Law Judges*.

2. Participates in the required fifteen (15) hours of Continuing Legal Education (CLE) courses as outlined and accredited by the Missouri Bar on an annual basis.

3. Attends and participates in required training that enhances education, knowledge and skill.

**(D) Strategic Planning and Program Improvement.**

1. Implements the division's internal procedures.

2. Participates in the strategic planning process.

3. Participates in internal workgroups to improve effectiveness and efficiency.

4. Available to serve in other locations as needed on a temporary basis.

5. Offers recommendations and suggestions for program improvement.

(3) This rule sets forth all the standards to be used to evaluate administrative law judges. The standards do not address the content of any award or decision issued by the administrative law judge.

(4) The division hereby adopts and incorporates by reference the *Code of Judicial Conduct for Missouri Workers' Compensation Administrative Law Judges*. This Code is published by the Division of Workers' Compensation, 3315 West Truman Blvd., Jefferson City, MO 65109; December 14, 2005 and does not include any later amendments or additions. A copy of the Code will be available at said address to the public for inspection and copying at no more than the actual cost of reproduction.

*AUTHORITY: sections 287.610.2 and 287.610.10, RSMo Supp. 2005 and 287.650, RSMo 2000. Emergency rule filed Dec. 21, 1998, effective Jan. 1, 1999, expired June 29, 1999. Original rule filed Dec. 21, 1998, effective June 30, 1999. Rescinded and readopted: Filed April 12, 2006.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Division of Workers' Compensation, Attn: Patricia "Pat" Secrest, PO Box 58, Jefferson City, MO 65102-0058. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 12—DEPARTMENT OF REVENUE  
Division 30—State Tax Commission  
Chapter 1—General Organization**

**PROPOSED AMENDMENT**

**12 CSR 30-1.010 General Organization.** The commission is amending section (8).

*PURPOSE: This amendment corrects the mailing address of the commission by amending section (8).*



(8) The State Tax Commission is located [at 621 E. Capitol Ave., P.O. Box 146, Jefferson City, MO 65102-0146, (314) 751-2414] in Jefferson City, Missouri. The mailing address is PO Box 146, Jefferson City, MO 65102-0146. The phone number is (573) 751-2414.

**AUTHORITY:** sections 138.290, 138.380, 138.390, 138.395, 138.410, 138.415, 138.420, 138.430, 138.440, and 138.450, RSMo [1986 and Supp. 1989] 2000. Original rule filed Sept. 15, 1976, effective Jan. 13, 1977. Amended: Filed April 17, 1979, effective July 16, 1979. Rescinded and readopted: Filed Dec. 13, 1983, effective March 12, 1984. Amended: Filed April 13, 2006.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Secretary, State Tax Commission of Missouri, PO Box 146, Jefferson City, MO 65102-0146. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 30—State Tax Commission  
Chapter 1—General Organization**

**PROPOSED AMENDMENT**

**12 CSR 30-1.020 Meetings and Hearings.** The commission is amending section (1).

**PURPOSE:** This amendment corrects the address of the commission by amending section (1).

(1) The principal office of the State Tax Commission is located [at 623 East Capital Avenue] in Jefferson City. All general inquiries to the commission, cover letters, motions and other pleadings should be addressed to the Administrative Secretary, State Tax Commission of Missouri, P.O. Box 146, Jefferson City, MO 65102-0146. All documents filed with the commission must be on eight and one-half by eleven inch (8 1/2" × 11") (letter size) paper.

**AUTHORITY:** section 138.430, RSMo [1986] 2000. Original rule filed Dec. 13, 1976, effective June 11, 1977. Amended: Filed Jan. 30, 1978, effective May 11, 1978. Amended: Filed April 12, 1979, effective July 16, 1979. Amended: Filed Dec. 13, 1983, effective March 12, 1984. Amended: Filed April 23, 1984, effective Sept. 14, 1984. Amended: Filed April 13, 2006.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Secretary, State Tax Commission of Missouri, PO Box 146, Jefferson City, MO 65102-0146. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE  
Division 30—State Tax Commission  
Chapter 3—Local Assessment of Property and  
Appeals From Local Boards of Equalization**

**PROPOSED RULE**

**12 CSR 30-3.090 Determining Class Life for Tangible Personal Property**

**PURPOSE:** This rule sets out the publication assessors are to use when estimating value for depreciable tangible personal property for mass appraisal purposes.

(1) For purposes of assessors estimating the value of depreciable tangible personal property for mass appraisal purposes in accordance with section 137.122, RSMo, class life and recovery periods shall be determined by reference to Internal Revenue Service Publication 946—How to Depreciate Property or successor publications thereto. Specifically, class lives and recovery periods shall be determined by reference to Appendix B—Table of Class Lives and Recovery Periods. Class life shall be determined under Table B-1 and Table B-2 under the column—Class Life (in years). Recovery period shall be determined by the number corresponding to the Class Life number for given items of machinery, tools, appliances and equipment under the column—GDS (MACRS).

**AUTHORITY:** section 138.430, RSMo 2000. Original rule filed April 13, 2006.

**PUBLIC COST:** This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rule with the Administrative Secretary, State Tax Commission of Missouri, PO Box 146, Jefferson City, MO 65102-0146. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—Division of Medical Services  
Chapter 1—Organization**

**PROPOSED AMENDMENT**

**13 CSR 70-1.010 Organization and Description.** The division is amending sections (1) and (2) to reflect the current organization and operations.

**PURPOSE:** This amendment provides updated information regarding the general organization and operations of the Division of Medical Services to comply with the requirements of section 536.023, RSMo.

(1) General Authority and Purpose.

(B) The Division of Medical Services is responsible for the administration of the medical assistance program in Missouri except for the determination of recipient eligibility for the program, which shall be the responsibility of the **Family Support Division** [of *Family Services*].

(2) Organization and Operations. The Division of Medical Services is located in Jefferson City at 615 Howerton Court. Contact can be

made by writing to the division at PO Box 6500, Jefferson City, MO 65102-6500. The Division of Medical Services is divided into six (6) major organizational components—administration and five (5) sections—[institutional reimbursement, management services, operations, planning and budget, and policy.] management services, finance, information services, program management, and pharmacy and clinical services.

*(A) The director is in charge of the administration of the division. The director employs the necessary personnel and designates the subdivisions needed to perform the duties and responsibilities of the division. In addition to providing the overall direction of the agency, Administration is responsible for overseeing the filing of all state plan amendments and regulations, all aspects of personnel-related issues and directing of the Managed Care Program.*

*(B) The Institutional Reimbursement section is responsible for the administration of payments to hospitals, nursing facilities, and rural and federally qualified health clinics.*

*(C) The Management Services section is responsible for the administration and monitoring of consultant and professional services contracts. Other management services activities include third-party liability identification and recovery, claims adjustments and cash control. Management Services is also responsible for administering the payment of Medicare Part B premiums (Medicare Buy-In), the Qualified Medicare Beneficiary (QMB) program and the Health Insurance Premium Payment (HIPP) program.*

*(D) Operations is organized into six (6) units: Medicaid Management Information Systems (MMIS), Surveillance and Utilization Reviews, Provider Enrollment, Provider Education, Provider Communications, and Recipient Services. The operations section is responsible for monitoring the state's contract with the fiscal agent, investigation of over utilization or noncompliance with Medicaid policies and regulations, reviewing compliance of hospitals' utilization review plans, initiating administrative sanctions of providers due to disciplinary action by a professional licensing board, Medicare exclusion, repeated patterns of abuse or fraud against the Medicaid program, claims processing and maintaining reporting systems. Operations is also responsible for the program relations functions.*

*(E) The Planning and Budget section is responsible for preparation of the annual budget, preparation of fiscal note estimates for proposed legislation, and forecasting and monitoring Medicaid expenditures throughout the fiscal year.*

*(F) The Policy section is responsible for researching, developing implementing and monitoring programs that are the responsibility of the Medicaid agency.]*

**(A) The Director's Office** provides the overall guidance and direction for the division and is responsible for establishing the agency's goals, objectives, policies, and procedures. The Director's Office is also responsible for providing legislative guidance on Medicaid and health care related issues, overseeing the distribution of federal and state resources, planning, analyzing and evaluating the provision of Medicaid services for eligible Missourians, and final review of the budget.

**1. Office Services.** This unit is responsible for processing invoices for all expenses incurred by the division and preparing purchase requests for all administrative supplies, equipment, and services. The unit is responsible for the internal allocation and financial monitoring of all of the division's operating expenses including all professional service consultant contracts. The unit oversees the division's reception area, processes and distributes all incoming and outgoing mail, and is responsible for the division's copy center.

**(B) The Management Services section** is divided into the following units:

**1. Medicare Unit.** This unit is responsible for ensuring that Medicare funds are utilized whenever possible in providing medical services to Medicaid clients. This is accomplished by the identification of those recipients who are, or who might be, Medicare eligible, the recovery of funds paid as Medicaid services for these clients, and the administration of Medicare Part B premiums.

**2. Third Party Liability (TPL) Unit.** This unit ensures that all potential, legally liable payers of medical services pay up to their liability to offset Medicaid expenditures. This is accomplished through cost avoidance and post-payment recovery (pay-and-chase or cash recovery).

**A. Cost avoidance** occurs when it is known that a third-party payer is responsible for payment prior to Medicaid payment. The TPL unit verifies commercial health insurance that is received from multiple sources. The insurance data is entered into the recipient eligibility file, which is also connected to the Medicaid claims payment processing system, and serves as a source of editing to determine claim payment or denial. Cost avoidance also occurs through the Health Insurance Premium Payment (HIPP) program. If a recipient has access to employer-sponsored health insurance, Medicaid will purchase the commercial health insurance if it is determined to be cost effective.

**B. Post-payment recovery** occurs when it is determined that a third party payer is potentially responsible for payment when a recipient receives medical services. Data matches and the Medicaid claims processing system determine potential recovery sources. TPL staff are responsible for the following recovery activities: burial plans, personal funds, estates, and trauma (includes personal injury, product liability, malpractice, traffic accidents, worker's compensation, and wrongful death). A contractor is primarily responsible for recovery of commercial health insurance payments.

**C.** These activities ensure that Medicaid funds are used only after all other potential resources available to pay have been exhausted.

**(C) The Finance section** is divided into the following units:

**1. Managed Care Rate Setting.** This unit is responsible for developing the capitation rates for the Medicaid Managed Care Program, the Nonemergency Medical Transportation Program, and the Program of All-Inclusive Care for the Elderly (PACE). The unit works closely with the contracted actuary in evaluating Medicaid Fee-For-Service expenditures to determine the financial impact of implementing policy alternatives and evaluating the cost effectiveness of Managed Care and PACE.

**2. Institutional Reimbursement Unit.** This unit is divided into the following groups:

**A. Outpatient and Federally Qualified Health Center (FQHC)/Rural Health Clinic (RHC) Reimbursements.** This group is responsible for audit of the FQHC and independent RHC cost reports, the calculation of final settlements for Outpatient Hospitals, FQHCs and RHCs, the calculation of MC+ interim payment adjustments for FQHCs and RHCs, the calculation of outlier payments for hospitals and the calculation of the prospective outpatient payment rates for outpatient hospital services. The group is also responsible for the administration of state regulations, state plan amendments, and responses to inquiries regarding reimbursement issues.

**B. Nursing Home Policy and Reimbursement.** This group is responsible for determining and carrying out the policy and reimbursement functions of the Medicaid program for nursing facilities. This includes auditing rate setting cost reports and determining reimbursement rates, auditing annual cost reports, analyzing nursing facility data, determining and establishing reimbursement methodologies, determining the Nursing Facility Reimbursement Allowance, and representing the division in litigation relating to nursing facility issues. The group is also responsible for the administration of state regulations, state plan



amendments, and responses to inquiries regarding nursing facility reimbursement issues.

C. **Hospital Policy and Reimbursement.** This group is responsible for determining and carrying out the policy and reimbursement function of the Medicaid program for hospitals. This includes the day-to-day activities of hospital reimbursement such as auditing hospital cost reports, determining hospital per diem rates, determining hospital disproportionate share payments, determining Direct Medicaid add-on payments and other special payments, determining Federal Reimbursement Allowance (FRA) provider tax, providing litigation support, conducting FRA program tracking, and hospital rate adjustment requests. The group is also responsible for the administration of state regulations, state plan amendments, and responses to inquiries regarding hospital reimbursement issues.

3. **Budget.** This unit is responsible for developing and tracking the division's annual budget request and subsequent appropriations. The unit is responsible for preparation of quarterly estimates and expenditure reports required by the Centers for Medicare and Medicaid Services. During the legislative session, the unit is also responsible for reviewing all bills affecting the division, preparing fiscal notes, and attending hearings as assigned.

4. **Financial Services.** This unit is responsible for managing the financial procedures and reporting of the Medicaid claims processing system, creating expenditure reports for management and budget purposes, coordinating the production and mailing of provider remittance advices, checks and automatic deposits, and reviewing and approving provider 1099 information. The unit is also responsible for processing adjustments to Medicaid claims, receiving and depositing payments, and managing provider account receivables.

5. **Premium Collections.** This unit is responsible for managing the lock box, automatic withdrawals, and cash deposits for the State Children's Health Insurance Program premium cases and Spenddown pay-in cases. The unit manages the financial procedures and reporting for these programs in the state's computer system and in the Medicaid Management Information System (MMIS) to ensure the collection accurately establishes the Medicaid eligibility record and to ensure that client notices are accurate and timely.

6. **Revenue Maximization.** This unit is responsible for the identification and collection of revenue sources to displace general revenue. The unit is responsible for the collection of the Federal Reimbursement Allowance and the Nursing Facility Reimbursement Allowance provider taxes and reconciliation of the fund balances. The unit computes the hospital and nursing facility Upper Payment Limit used to generate additional funds through the Intergovernmental Transfer (IGT) programs. The unit is also the primary source for bill review and fiscal note analysis related to institutional reimbursement.

(D) The Information Services section is divided into the following units:

1. **Payment Systems.** This unit is responsible for coordinating and implementing the more advanced modifications to the Medicaid Management Information System (MMIS). The implementation of the requirements of the Health Insurance Portability and Accountability Act (HIPAA) is an example of an advanced modification to the MMIS. The unit ensures that a structured approach is used so as not to disrupt any of the automated Medicaid claims processing and the information retrieval system currently in place.

2. **Medicaid Management Information System.** This unit is responsible for oversight and monitoring of the fiscal agent (Infocrossing Healthcare Services, Inc.) contract and acts as liaison between the division and Infocrossing. The unit is responsible for maintaining the claims processing system by reviewing claims payment issues, establishing corrective action plans and

designating specific tasks to Infocrossing. This unit is also responsible for processing ad hoc requests from other units within the division.

3. **Provider Enrollment.** This unit is responsible for enrolling and disenrolling providers. The unit maintains all updates and changes to the provider enrollment files and processes direct deposit applications. The unit responds to provider inquiries and notifies providers when their application is processed and when a provider number is issued. The unit is also responsible for entering rate changes for providers and developing a system whereby much of the provider enrollment process can be completed electronically.

4. **Program Integrity Unit.** This unit is primarily responsible for monitoring statewide utilization and program compliance of Medicaid Fee-For-Service providers and recipients. The unit conducts post-payment audits/reviews and researches complaints. Following an audit/review, the unit may, among other actions: issue educational letters; recover improperly paid funds; refer cases of suspected fraudulent activities to the Attorney General's Medicaid Fraud Control Unit or other appropriate licensing bodies; request a corrective action plan; and/or recommend internal policy changes to improve and/or clarify program policy. Other responsibilities of the unit include, but are not limited to, the Recipient Lock-In Program and monitoring the Medstat Fraud and Abuse Detection System.

(E) The Program Management section is divided into the following units:

1. **Managed Care.** This unit is responsible for administration of the MC+ Managed Care Program which operates under a 1915(b) Freedom of Choice Waiver. This program provides Medicaid Managed Care services to recipients in four (4) broad groups: Medical Assistance for Families, Medicaid for Children, Medicaid for Pregnant Women, and children in state custody. This unit is also responsible for developing new policies and procedures for the MC+ Managed Care Program. This unit is divided into the following groups:

A. **Managed Care Contract Compliance.** This group is responsible for monitoring contracts. Staff monitor the Managed Care contracts to ensure providers are adhering to the terms and conditions of their agreements. The group ensures that the Managed Care Organizations (MCOs) adhere to service access guidelines, verify provider networks, and handle complaints against MCOs. The group also works with the Department of Insurance to assure MCOs are in compliance with state insurance rules and regulations.

B. **Quality Assessment.** This group performs research and data analysis to address monitoring and oversight requirements established by the Centers for Medicare and Medicaid Services. The group utilizes a collaborative process to develop and implement strategies to improve the health status of Medicaid recipients. This process entails coordination with advisory groups, other state agencies, managed care organizations, providers, and the public. The group is also responsible for researching, assessing, evaluating, and reporting information regarding the quality of care provided to MC+ Managed Care members and Fee-For-Service recipients.

2. **Program Relations.** The unit is divided into the following groups:

A. **Provider Education.** This group is responsible for training and educating providers on the division's policies and procedures. The group also assists providers with the submission of Medicaid claims through provider workshops and individual provider training sessions.

B. **Provider Communication.** This group is responsible for responding to provider inquiries and concerns. Much of this communication is handled via a provider hotline. Written responses to provider inquiries are also handled by this group. The group interprets and explains difficult and complex

Medicaid rules, regulations, policies, and procedures to providers.

**C. Recipient Services.** This group aids the fiscal agent's Recipient Services Unit by acting as liaison with other groups within the division and handling more complex inquiries from recipients. The division maintains a toll-free hotline for recipients and is responsible for the Medicaid Recipient Reimbursement program and handles all prior authorizations of out-of-state services.

**D. Premium Collections.** This group is responsible for answering phones and correspondence regarding the State Children's Health Insurance Program premium cases and Spenddown pay-in cases. Staff explain program rules and answer questions regarding receipt of payments.

**3. Fee-For-Service Program.** This unit is responsible for research, analysis, development, implementation, and monitoring various benefit programs within the division, including the prior authorization process for approval of medically necessary items and services which are not typically reimbursed by Medicaid. Staff in this unit also interact with advisory committees to obtain guidance in complicated health care issues, coordinate and assist in the development of training packages, write and revise program manuals and bulletins pertaining to program policy, procedure and operations, and monitor and evaluate program effectiveness by tracking utilization patterns.

**A. Program Development.** This group is responsible for researching state and federal regulations, Centers for Medicare and Medicaid Services directives and rulings, and reviewing Medicaid programs implemented by other states. The group analyzes data and legislation, coordinates special projects, and works with other state agencies and groups within the division to implement new Medicaid programs including the development of new manuals and procedures. Staff in this group also aid in the implementation of major changes to existing Medicaid programs.

**(F) The Pharmacy and Clinical Services section is divided into the following units:**

**1. Pharmacy Exceptions.** This unit operates a toll-free hotline for providers to request overrides on drug products with restricted access due to clinical or fiscal edits and prior authorization. The hotline staff in this unit operate an Internet-based system to process requests for drug products which have been denied through the usual claims processing system. This unit is also responsible for responding to requests for certain prior authorized services, such as insulin pumps and supplies, as well as those through the Exception Process for essential medical items or services which are not typically reimbursed through the Medicaid program.

**2. Pharmacy Enhancement (Fiscal).** This unit is responsible for performing fiscal analyses on proposed cost-containment initiatives, maintaining existing reporting systems, overseeing payments for contracted services, and tracking fiscal data for the program. It assists in the preparation of fiscal notes, budget preparation, and bill reviews on pharmacy related issues. In addition, the unit is responsible for administering the pharmacy tax program and nursing facility returns. This unit is also responsible for the collection of rebates from pharmaceutical manufacturers contracted with Centers for Medicare and Medicaid Services to participate in the federal Drug Rebate Program, and for collection of supplemental rebates from manufacturers participating in the state's Supplemental Rebate Program. Manufacturers are invoiced quarterly by the unit for products dispensed during the period. As payments are received, disputes are identified and the unit researches any product disputed by the manufacturer. Disputes are resolved with the manufacturer to collect the greatest rebate possible. This unit is also responsible for collecting rebates for the Missouri Rx Program. The federal and state rebate programs operate in much the same way.

**3. Pharmacy Enhancement (Clinical).** This unit is responsible for the implementation and maintenance of clinical pharmacy cost saving initiatives. This unit is responsible for the review, implementation and maintenance of the Preferred Drug List (PDL). It also oversees the prior authorization of all new drug products and conducts drug pricing research. All clinical drug information and pharmacoeconomic evidence-based reviews are organized for presentation to the Drug Prior Authorization Committee and the Drug Use Review Board (DUR). Online point of sale clinical edits are established to assure cost effective and appropriate drug usage, and override requests for medically necessary over-the-counter drugs or non-reference diabetic supplies are reviewed. This unit provides manual pricing for certain exceptions claims, assists providers with exceptions claim inquiries, and updates spreadsheets for reference by the Exceptions Unit help desk. Provider education is provided for the Medicaid pharmacy program as well as for Medicare D and Missouri Rx claims inquiries. Emergency overrides are reviewed for patients unable to access benefits through Medicare D. This unit updates the listing of drug products on the Maximum Acquisition Cost (MAC)/Federal Upper Limit (FUL) lists. In addition, pharmacy prior authorizations are reviewed for recipients enrolled in Hospice to determine whether the medication is related to the terminal illness. Internal clinical management and coordination of care for Fee-For-Service patients is performed, including identification and monitoring of drug regimens outside normal parameters, and working with patients' healthcare providers to reach desired outcomes.

**4. Program Operations and Policy.** This unit is responsible for policy implementation, program communications, oversight of contracts with outside vendors for pharmacy and certain clinical program enhancement activities, and implementation of those program enhancements. Program and policy documents such as state plan amendments and state regulations are drafted to reflect program changes. Provider bulletins and announcements are posted on the Internet and program manuals are updated. This unit researches and gathers information for program development, and provides procedural support for systems changes and claims processing issues such as behavioral health prior authorization, medical procedures and equipment prior authorization, and durable medical equipment special pricing and rebates. This unit serves as the liaison with MMIS and other units within the division to facilitate program enhancement activities. Special retrospective audits are conducted to detect incorrect billings, make appropriate claims adjustments, and provide billing education. In addition, the unit provides administrative support for the Drug Use Review (DUR) Board and Regional DUR Committee, as well as assistance with enrolling providers in the Disease Management Program.

**5. Missouri Rx Plan.** This unit is responsible for the ongoing operations of the Missouri Rx Plan, which provides certain pharmaceutical benefits to certain elderly and disabled residents of the state, facilitates coordination of benefits between the Missouri Rx Plan and the federal Medicare D drug benefit program established by the Medicare Modernization Act of 2003, and enrolls such individuals into the plan. This unit also facilitates the Missouri Rx Plan Advisory Commission, with members including the lieutenant governor and members of the legislature, which is tasked with providing advice on guidelines, policies, and procedures necessary to establish the Missouri Rx Plan, educating Missouri residents on quality prescription drug programs and cost-containment strategies in medication therapy; and assisting Missouri residents in enrolling or accessing prescription drug assistance programs for which they are eligible. As a component of these duties, this unit oversees the production, maintenance, and regular updates of an Internet listing of prescription drug cost information for easy access by all members of the public.

**6. Psychology Program.** This unit is responsible for the implementation and maintenance of the Psychology/Counseling Program. This unit oversees the prior authorization of psychological services as required for enrolled populations. Clinical guidelines are reviewed by the Medicaid Non-Pharmaceutical Mental Health Services Prior Authorization Advisory Committee for clinical recommendations and input. The unit is also responsible for policy implementation, program communications, and consultation with provider education activities regarding psychological services. Consultation with the Program Operations and Policy Unit insures policy documents such as bulletins, state plan amendments and state regulations are drafted to reflect program changes. Quality Improvement reviews of provider practice patterns and patient utilization are conducted to insure best practice approaches are implemented. Clinical oversight and consultation based upon evidence based approaches is offered to other state agencies and units, as well as professional boards and organizations.

*AUTHORITY: section 208.201, RSMo [Supp. 1987] 2000. This rule was previously filed as 13 CSR 40-81.005. Emergency rule filed Sept. 15, 1987, effective Sept. 28, 1987, expired Jan. 25, 1988. Original rule filed Oct. 1, 1987, effective Jan. 29, 1988. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed April 14, 2006.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Director, Division of Medical Services, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the Division of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE  
Division 200—Financial Examination  
Chapter 11—Control and Management of Insurance  
Companies**

**PROPOSED AMENDMENT**

**20 CSR 200-11.101 Insurance Holding Company System Regulation with Reporting Forms and Instructions.** The director is amending Item 3 and Item 3(e) of Form A.

*PURPOSE: This amendment changes the method applicants use to provide certain identity and background information associated with them when filing a Form A by requiring the submission of a character report.*

(18) Pre-Acquisition Notification. If a domestic insurer, including any person controlling a domestic insurer, is proposing a merger or acquisition pursuant to the provisions of section 382.040 of the Act and is required by such section to file a pre-acquisition notification, that person shall file a pre-acquisition notification form, Form E, which was developed pursuant to section 382.095.3 of the Act. Additionally, if a non-domiciliary insurer licensed to do business in this state is proposing a merger or acquisition pursuant to section 382.095 of the Act, that person shall file a pre-acquisition notification

form, Form E. No pre-acquisition notification form need be filed if the acquisition is beyond the scope of section 382.095 as set forth in section 382.095.2(1)–(7). In addition to the information required by Form E, the director may wish to require an expert opinion as to the competitive impact of the proposed acquisition.

**FORM A**

**Statement Regarding the Acquisition  
of Control of or Merger  
with a Domestic Insurer**

\_\_\_\_\_  
(Name of Domestic Insurer)

by

\_\_\_\_\_  
(Name of Acquiring Person (Applicant))

Filed with the Insurance Department of

\_\_\_\_\_  
(State of domicile of insurer being acquired)

Dated: \_\_\_\_\_, \_\_\_\_\_

Name, title, address and telephone number of individual to whom notices and correspondence concerning this statement should be addressed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Item 1. Insurer and Method of Acquisition.**

State the name and address of the domestic insurer to which this application relates and a brief description of how control is to be acquired.

**Item 2. Identity and Background of the Applicant.**

(a) State the name and address of the applicant seeking to acquire control over the insurer.

(b) If the applicant is not an individual, state the nature of its business operations for the past five (5) years or for lesser period as the applicant person and any of its predecessors thereof shall have been in existence. Briefly describe the business intended to be done by the applicant and the applicant's subsidiaries.

(c) Furnish a chart or list clearly presenting the identities of the interrelationships among the applicant and all affiliates of the applicant. No affiliate need be identified if its total assets are equal to less than one-half (1/2) of one percent (1%) of the total assets of the ultimate controlling person affiliated with the applicant. Indicate in the chart or listing the percentage of voting securities of each such person which is owned or controlled by the applicant or by any other such person. If control of any person is maintained other than by the ownership or control of voting securities, indicate the basis of such control. As to each person specified in such chart or listing indicate the type of organization (for example, corporation, trust, partnership) and the state or other jurisdiction of domicile. If court proceedings involving a reorganization or liquidation are pending with respect to any such person, and set forth the title of the court, nature of proceedings and the date when commenced.

**Item 3. Identity and Background of Individuals Associated With the Applicant.**



State, or with respect to (e) have provided to the department, the following with respect to—1) the applicant if s/he is an individual or 2) all persons who are directors, executive officers or owners of ten percent (10%) or more of the voting securities of the applicant if the applicant is not an individual:

(a) Name and business address;

(b) Present principal business activity, occupation or employment including position and office held and the name, principal business and address of any corporation or other organization in which the employment is carried on;

(c) Material occupations, positions, offices or employment during the last five (5) years, giving the starting and ending dates of each and the name, principal business and address of any business operation or other corporation in which each such occupation, position, office or employment was carried on; if any such occupation, position, office or employment required licensing by or registration with any federal, state or municipal governmental agency, indicate such fact, the current status of the licensing or registration, and an explanation of any surrender, revocation, suspension or disciplinary proceedings in connection with the licensing or registration;

(d) Whether or not such person has ever been convicted in a criminal proceeding (excluding minor traffic violations) during the last ten (10) years and, if so, give the date, nature of conviction, name and location of court, and penalty imposed or other disposition of the case;

(e) *[Date of birth, place of birth and Social Security number. Disclosure of the Social Security number: (1) is optional; (2) is solicited pursuant to the director's statutory authority to investigate and determine the competence, experience and integrity of those persons who would control the operation of the insurer pursuant to section 382.060.1(5), RSMo, and to inquire into and investigate the business of insurance transacted in this state pursuant to section 374.190.1, RSMo; and (3) will be used to conduct a criminal background check of the individual providing the Social Security number. The Department of Insurance will maintain the Social Security number as confidential pursuant to section 610.035, RSMo, if the Social Security number(s) is (are) provided to the department on a separate paper (along with the individual's name) from other information provided under this item; if not provided on a separate paper, the Department may deem the holder to have authorized disclosure of the Social Security number]* **A business character report from Owens Online, Inc., or such other character report from such other independent third party as the director approves in writing with respect to the specific Form A.**

**Item 4. Nature, Source and Amount of Consideration.**

(a) Describe the nature, source and amount of funds or other considerations used or to be used in effecting the merger or other acquisition of control. If any part of the same is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding or trading securities, furnish a description of the transaction, the names of the parties to the transaction, the relationship, if any, between the borrower and the lender, the amounts borrowed or to be borrowed and copies of all agreements, promissory notes and security arrangements relating thereto.

(b) Explain the criteria used in determining the nature and amount of such consideration.

(c) If the source of the consideration is a loan made in the lender's ordinary course of business and if the applicant wishes the identity of the lender to remain confidential, s/he must specifically request that the identity be kept confidential.

**Item 5. Future Plans of Insurer.**

Describe any plans or proposals which the applicant may have to declare an extraordinary dividend, to liquidate such insurer, to sell its assets to or merge it with any person or persons or to make any other material change in its business operations or corporate structure or management.

**Item 6. Voting Securities to be Acquired.**

State the number of shares of the insurer's voting securities which the applicant, its affiliates and any person listed in Item 3, plan to acquire, and the terms of the offer, request, invitation, agreement or acquisition, and a statement as to the method by which the fairness of the proposal was arrived at.

**Item 7. Ownership of Voting Securities.**

State the amount of each class of any voting security of the insurer which is beneficially owned or concerning which there is a right to acquire beneficial ownership by the applicant, its affiliates or any person listed in Item 3.

**Item 8. Contracts, Arrangements or Understanding With Respect to Voting Securities of the Insurer.**

Give the full description of any contracts, arrangements or understandings with respect to any voting security of the insurer in which the applicant, its affiliates or any person listed in Item 3., is involved, including, but not limited to, transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. This description shall identify the persons with whom the contracts, arrangements or understandings have been entered into.

**Item 9. Recent Purchases of Voting Securities.**

Describe any purchases of any voting securities of the insurer by the applicant, its affiliates or any person listed in Item 3. during the twelve (12) calendar months preceding the filing of this statement. Include in such description the dates of purchase, the names of the purchasers, and the consideration paid or agreed to be paid. State whether any shares so purchased are hypothecated.

**Item 10. Recent Recommendations to Purchase.**

Describe any recommendations to purchase any voting security of the insurer made by the applicant, its affiliates or any person listed in Item 3., or by anyone based upon interviews or at the suggestion of the applicant, its affiliates or any person listed in Item 3. during the twelve (12) calendar months preceding the filing of this statement.

**Item 11. Agreements With Broker-Dealers.**

Describe the terms of any agreement, contract or understanding made with any broker-dealer as to solicitation of voting securities of the insurer for tender and the amount of any fees, commission or other compensation to be paid to broker-dealers with regard thereto.

**Item 12. Financial Statements and Exhibits.**

(a) Attach financial statements and exhibits to this statement as an appendix, but list under this item the financial statements and exhibits so attached.

(b) The financial statements shall include the annual financial statements of the person identified in Item 2(c) for the preceding five (5) fiscal years (or for a lesser period as the applicant and its affiliates and any predecessors of the applicant shall have been in existence), and similar information covering the period from the end of the person's last fiscal year, if this information is available. These statements may be prepared on either an individual basis or, unless the director otherwise requires, on a consolidated basis if consolidated statements are prepared in the usual course of business.

(c) The annual financial statements of the applicant shall be accompanied by the certificate of an independent public accountant to the effect that the statements present fairly the financial position of the applicant and the results of its operations for the year then ended, in conformity with generally accepted accounting principles or with requirements of insurance or other accounting principles prescribed or permitted under law. If the applicant is an insurer which is actively engaged in the business of insurance, the financial statements need not be certified, provided they are based on the Annual Statement of such person filed with the insurance department of the person's domiciliary state and are in accordance with the requirements of insurance or other accounting principles prescribed or permitted under the law and regulations of such state.

(d) File as exhibits copies of all tender offers for, requests or invitations for, tenders of, exchange offers for, and agreements to acquire or exchange any voting securities of the insurer and (if distributed) of additional soliciting material relating thereto, any proposed employment, consultation, advisory or management contracts concerning the insurer, annual reports to the stockholders of the insurer and the applicant for the last two (2) fiscal years, and any additional documents or papers required by Form A or 20 CSR 200-11.101(2) and (4).

#### Item 13. Signature and Certification.

Signature and certification required as follows:

##### SIGNATURE

Pursuant to the requirements of sections 382.040-382.060 of the Act \_\_\_\_\_ has caused this application to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
(Name of Applicant)

by

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

Attest:

\_\_\_\_\_  
(Signature of Officer)

\_\_\_\_\_  
(Title)

##### CERTIFICATION

The undersigned deposes and says that s/he has duly executed the attached application dated \_\_\_\_\_, \_\_\_\_\_, for and on behalf of \_\_\_\_\_;

\_\_\_\_\_  
(Name of Applicant)

that s/he is the \_\_\_\_\_ of \_\_\_\_\_  
(Title of Officer)

\_\_\_\_\_  
(Name of Company)

and that s/he is authorized to execute and file such instrument. Deponent further says that s/he is familiar with such instrument and

the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or print name)

##### FORM B

#### Insurance Holding Company System Annual Registration Statement

Filed with the Insurance Department of the state of \_\_\_\_\_

by

\_\_\_\_\_  
(Name of Registrant)

On behalf of following insurance companies:

Name

Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_, \_\_\_\_\_.

Name, title, address and telephone number of individual to whom notices and correspondence concerning this statement should be addressed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Item 1. Identity and Control of Registrant.

Furnish the exact name of each insurer registering or being registered (after this called the registrant), the home office address and principal executive offices of each; the date on which each registrant became part of the insurance holding company system; and the method(s) by which control of each registrant was acquired and is maintained.

#### Item 2. Organizational Chart.

Furnish a chart or listing clearly presenting the identities of and interrelationships among all affiliated persons with the insurance holding company system. No affiliate need be shown its total assets are equal to less than one-half (1/2) of one percent (1%) of the total assets of the ultimate controlling person within the insurance holding company system unless it has assets valued at or exceeding (insert amount). The chart or listing should show the percentage of each class of voting securities of each affiliate which is owned, directly or indirectly, by another affiliate. If control of any person within the system is maintained other than by the ownership or control of voting securities, indicate the basis of the control. As to each person specified or listing indicate the type of organization (for example, corporation, trust, partnership) and the state or other jurisdiction of domicile.

#### Item 3. The Ultimate Controlling Person.

As to the ultimate controlling person in the insurance holding company system, furnish the following information:

(a) Name;



- (b) Home office address;
- (c) Principal executive office address;
- (d) The organizational structure of the person, that is, corporation, partnership, individual, trust, etc;
- (e) The principal business of the person;
- (f) The name and address of any person who holds or owns ten percent (10%) or more of any class of voting security, the class of such security, the number of shares held of record or known to be beneficially owned, and the percentage of class so held or owned; and
- (g) If court proceedings involving a reorganization or liquidation are pending, indicate the title and location of the court, the nature of proceedings and the date when commenced.

**Item 4. Biographical Information.**

Furnish the following information for the directors and executive officers of the ultimate controlling person: the individual's name and address, his/her principal occupation and all offices and positions held during the past five (5) years, and any conviction of crimes other than minor traffic violations during the past ten (10) years.

**Item 5. Transactions and Agreements.**

Briefly describe the following agreements in force, and transactions currently outstanding or which have occurred during the last calendar year between the registrant and its affiliates:

- (a) Loans, other investments, or purchases, sales or exchanges of securities of the affiliates by the registrant or of the registrant by its affiliates;
- (b) Purchases, sales or exchanges of assets;
- (c) Transactions not in the ordinary course of business;
- (d) Guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the registrant's assets to liability, other than insurance contracts entered into in the ordinary course of the registrant's business;
- (e) All management agreements, service contracts, tax allocation arrangements, and cost-sharing arrangements;
- (f) Reinsurance agreements;
- (g) Dividends and other distributions to shareholders;
- (h) Consolidation tax allocation agreements; and
- (i) Any pledge of the registrant's stock, the stock of any subsidiary or controlling affiliate, or both, for a loan made to any member of the insurance holding company system.

No information need be disclosed if such information is not material for purposes of sections 382.100–382.160 of the Act.

Sales, purchases, exchanges, loans or extension of credit, investments or guarantees involving one-half (1/2) of one percent (1%) of the registrant's admitted assets as of the 31st day of December next preceding shall not be deemed material. (Note: the director by rule or order may provide otherwise.)

The description shall be in a manner as to permit the proper evaluation by the director, and shall include at least the following: the nature and purpose of the transaction, the nature and amounts of any payments or transfers of assets between the parties, the identity of all parties to such transaction, and relationship of the affiliated parties to the registrant.

**Item 6. Litigation or Administrative Proceedings.**

A brief description of any litigation or administrative proceedings of the following types, either then pending or concluded within the preceding fiscal year, to which the ultimate controlling person or any of its directors or executive officers was a party or of which the property of any such person is or was the subject; give the names of the parties and the court or agency in which the litigation or proceeding is or was pending:

- (a) Criminal prosecutions or administrative proceedings by any government agency or authority which may be relevant to the trustworthiness of any party to the prosecutions or proceedings; and

- (b) Proceedings which may have a material effect upon the solvency or capital structure of the ultimate holding company including, but not necessarily limited to, bankruptcy, receivership or other corporate reorganizations.

**Item 7. Statement Regarding Plan or Series of Transactions.**

The insurer shall furnish a statement that transactions entered into since the filing of the prior year's annual registration statement are not part of a plan or series of like transactions, the purpose of which is to avoid statutory threshold amounts and the review that might otherwise occur.

**Item 8. Financial Statements and Exhibits.**

- (a) Financial statements and exhibits should be attached to this statement as an appendix, but list under this item the financial statements and exhibits so attached.

- (b) The financial statement shall include the annual financial statements of the ultimate controlling person in the holding company system as of the end of the person's latest fiscal year.

- (c) If at the time of the initial registration, the annual financial statements for the latest fiscal year are not available, annual statements for the previous fiscal year may be filed and similar financial information shall be filed for any subsequent period to the extent such information is available. These financial statements may be prepared on either an individual basis, or unless the director otherwise requires, on a consolidated basis if such consolidated statements are prepared in the usual course of business.

- (d) Unless the director otherwise permits, the annual financial statements shall be accompanied by the certificate of an independent public accountant to the effect that these statements present fairly the financial position of the ultimate controlling person and the results of its operations for the year then ended, in conformity with generally accepted accounting principles or with requirements of insurance or other accounting principles prescribed or permitted under law. If the ultimate controlling person is an insurer which is actively engaged in the business of insurance, the annual financial statements need not be certified, provided they are based on the annual statement of such insurer filed with the insurance department of the insurer's domiciliary state and are in accordance with requirements of insurance or other accounting principles prescribed or permitted under the law and regulations of such state.

- (e) Exhibits shall include copies of the latest annual reports to shareholders of the ultimate controlling person and proxy materials used by the ultimate controlling person; and any additional documents or papers required by Form B or 20 CSR 200-11.101(2) and (4).

**Item 9. Form C Required.**

A Form C, Summary of Registration Statement, must be prepared and filed with this Form B.

**Item 10. Signature and Certification.**

Signature and certification required as follows:

**SIGNATURE**

Pursuant to the requirements of sections 382.100–382.160 of the Act, the Registrant has caused this annual registration statement to be duly signed on its behalf in the City of \_\_\_\_\_ and the

State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
(Name of Registrant)

by

(Name)

(Title)

Attest:

(Signature of Officer)

(Title)

## CERTIFICATION

The undersigned deposes and says that s/he has duly executed the attached annual registration statement dated \_\_\_\_\_,

\_\_\_\_\_, for and on behalf of \_\_\_\_\_;  
(Name of Officer)

that s/he is the \_\_\_\_\_ of  
(Title of Officer)

(Name of Company)

and that s/he is authorized to execute and file such instrument. Deponent further says that s/he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

(Signature)

(Type or print name)

## FORM C

## Summary of Registration

## STATEMENT

Filed with the Insurance Department of the State of

by

(Name of Registrant)

On behalf of following insurance companies:

Name Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_, \_\_\_\_\_

Name, title, address and telephone number of individual to whom notices and correspondence concerning this statement should be addressed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Furnish a brief description of all items in the current annual registration statement which represent changes from the prior year's annual registration statement. The description shall be in a manner as to permit proper evaluation by the director, and shall include specific references to Item numbers in the annual registration statement and to the terms contained in the statement.

Changes occurring under Item 2. of Form B insofar as changes in the percentage of each class of voting securities held by each affiliate is concerned, need only be included where such changes are ones which result in ownership or holdings of ten percent (10%) or more of voting securities, loss or transfer of control, or acquisition or loss of partnership interest.

Changes occurring under Item 4. of Form B need only be included where—an individual is, for the next time, made a director or executive officer of the ultimate controlling person; a director or executive officer terminates his/her responsibilities with the ultimate controlling person; or in the event an individual is named president of the ultimate controlling person.

If a transaction disclosed on the prior year's annual registration statement has been changed, the nature of this change shall be included. If a transaction disclosed on the prior year's annual registration statement has been effectuated, furnish the mode of completion and any flow of funds between affiliates resulting from the transaction.

The insurer shall furnish a statement that transactions entered into since the filing of the prior year's annual registration statement are not part of a plan or series of like transactions whose purpose it is to avoid statutory threshold amounts and the review that might otherwise occur.

## SIGNATURE AND CERTIFICATION

Signature and certification required as follows:

## SIGNATURE

Pursuant to the requirements of sections 382.100–382.160 of the Act, the Registrant has caused this summary of registration statement to be duly signed on its behalf in the City of \_\_\_\_\_ and the State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

(Name of Registrant)

by

(Name)

(Title)

Attest:

(Signature of Officer)

(Title)

## CERTIFICATION

The undersigned deposes and says that s/he has duly executed the attached summary of registration statement dated \_\_\_\_\_, \_\_\_\_\_,

for and on behalf of \_\_\_\_\_  
(Name of Officer)

that s/he is the \_\_\_\_\_  
(Title of Officer)

of \_\_\_\_\_  
(Name of Company)

that s/he is authorized to execute and file such instrument. Deponent further says that s/he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Type or print name beneath)

#### FORM D

##### Prior Notice of a Transaction

Filed with the Insurance Department of the State of \_\_\_\_\_

by \_\_\_\_\_  
(Name of Registrant)

On behalf of the following insurance companies:

Name	Address
_____	_____
_____	_____
_____	_____

Date: \_\_\_\_\_, \_\_\_\_\_

Name, title, address and telephone number of individual to whom notices and correspondence concerning this statement should be addressed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

##### Item 1. Identity of Parties to Transaction.

Furnish the following information for each of the parties to the transaction:

- (a) Name;
- (b) Home office address;
- (c) Principal executive;
- (d) The organizational structure, that is, corporation, partnership, individual, trust, etc;
- (e) A description of the nature of the parties' business operations;
- (f) Relationship, if any, of other parties to the transaction to the insurer filing the notice, including any ownership or debtor/creditor interest by any other parties to the transaction in the insurer seeking approval, or by the insurer filing the notice in the affiliated parties; and

(g) Where the transaction is with a nonaffiliate, the name(s) of the affiliate(s) which will receive, in whole or in substantial part, the proceeds of the transaction.

##### Item 2. Description of the Transaction.

Furnish the following information for each transaction for which notice is being given:

- (a) A statement as to whether notice is being given under section 382.195.1(1), (2), (3), (4) or (5) of the Act;
- (b) A statement of the nature of the transaction; and
- (c) The proposed effective date of the transaction.

Item 3. Sales, Purchases, Exchanges, Loans, Extensions of Credit, Guarantees or Investments.

Furnish a brief description of the amount and source of funds, securities, property or other consideration for the sale, purchase, exchange, loan, extension of credit, guarantee, or investment, whether any provision exists for purchase by the insurer filing notice, by any party to the transaction, or by any affiliate of the insurer filing notice, a description of the terms of any securities being received, if any, and a description of any other agreements relating to the transaction such as contracts or agreements for services, consulting agreements and the like. If the transaction involves other than cash, furnish a description of the consideration, its cost and its fair market value, together with an explanation of the basis for evaluation.

If the transaction involves a loan, extension of credit or a guarantee, furnish a description of the maximum amount which the insurer will be obligated to make available under such loan, extension of credit or guarantee, the date on which the credit or guarantee will terminate, and any provisions for the accrual of or deferral of interest.

If the transaction involves an investment, guarantee or other arrangement, state the time period during which the investment, guarantee or other arrangement will remain in effect, together with any provisions for extensions or renewals of these investments, guarantees or arrangements. Furnish a brief statement as to the effect of the transaction upon the insurer's surplus.

No notice need be given if the maximum amount which at any time can be outstanding or for which the insurer can be legally obligated under the loan, extension of credit or guarantee is less than—

(a) In the case of nonlife insurers, the lesser of three percent (3%) of the insurer's admitted assets or twenty-five percent (25%) of surplus as regards policyholders; or

(b) In the case of life insurers, three percent (3%) of the insurer's admitted assets, each as of the 31st day of December next preceding.

##### Item 4. Loans or Extensions of Credit to a Nonaffiliate.

If the transaction involves a loan or extension of credit to any person who is not an affiliate, furnish a brief description of the agreement or understanding where the proceeds of the proposed transaction, in whole or in substantial part, are to be used to make loans or extensions of credit to, to purchase the assets of, or to make investments in, any affiliate of the insurer making these loans or extensions of credit, and specify in what manner the proceeds are to be used to loan to, extend credit to, purchase assets of or make investments in any affiliate. Describe the amount and source of funds, securities, property or other consideration for the loan or extension of credit and, if the transaction is one involving consideration other than cash, a description of its cost and its fair market value together with an explanation of the basis for evaluation. Furnish a brief statement as to the effect of the transaction upon the insurer's surplus.

No notice need be given if the loan or extension of credit is one which equals less than, in the case of nonlife insurer's, the lesser of three percent (3%) of the insurer's admitted assets or twenty-five percent (25%) of surplus as regards policyholders or, with respect to life insurers, three percent (3%) of the insurer's admitted assets, each as of the 31st day of December next preceding.

##### Item 5. Reinsurance.

If the transaction is a reinsurance agreement or modification to it, as described by section 382.195.1(3) of the Act, furnish a description of the known, estimated amount of liability or else to be ceded, or both assumed in each calendar year, the period of time during which the agreement will be in effect, and a statement whether an agreement or understanding exists between the insurer and nonaffiliate to the effect that any portion of the assets constituting the consideration for the agreement will be transferred to one (1) or more of the insurer's affiliates. Furnish a brief description of the consideration involved in the transaction, and brief statement as to the effect of the transaction, upon the insurer's surplus.

No notice need be given for reinsurance agreements or modifications to them if the reinsurance premium or a change in the insurer's liabilities in connection with the reinsurance agreement or modification to it is less than five percent (5%) of the insurer's surplus as regards policyholders, as of the 31st day of December next preceding.

**Item 6. Management Agreements, Service Agreements, Tax Allocation Arrangements, and Cost-Sharing Arrangements.**

For management and service agreements, furnish—

(a) A brief description of the managerial responsibilities, or services to be performed; and

(b) A brief description of the agreement, including a statement of its duration, together with brief descriptions of the basis for compensation and the terms under which payment or compensation is to be made;

For tax allocation arrangements and cost-sharing arrangements, furnish—

(a) A brief description of the purpose of the agreement;

(b) A description of the period of time during which the agreement is to be in effect;

(c) A brief description of each party's expenses or costs covered by the agreement; and

(d) A brief description of the accounting basis to be used in calculating each party's costs under the agreement.

**Item 7. Signature and Certification.**

Signature and certification required as follows:

**SIGNATURE**

Pursuant to the requirements of section 382.195 of the Act \_\_\_\_\_ has caused this application to be duly signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
(Name of Applicant)

by

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

Attest:

\_\_\_\_\_  
(Signature of Officer)

\_\_\_\_\_  
(Title)

**CERTIFICATION**

The undersigned deposes and says that s/he has duly executed the attached notice dated \_\_\_\_\_, \_\_\_\_\_, for and on behalf of \_\_\_\_\_;  
(Name of Officer)

that s/he is the \_\_\_\_\_  
(Title of Officer)

of \_\_\_\_\_  
(Name of Company)

and that s/he is authorized to execute and file such instrument. Deponent further says that s/he is familiar with such instrument and the contents thereof, and that the facts therein set forth are true to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or print name)

**FORM E**

**Pre-Acquisition Notification Form  
Regarding The Potential Competitive Impact  
of a Proposed Merger or Acquisition by a  
Non-Domiciliary Insurer Doing Business in this  
State or by a Domestic Insurer**

\_\_\_\_\_  
(Name of Applicant)

\_\_\_\_\_  
(Name of Other Person Involved in Merger or Acquisition)

Filed with the Insurance Department of the State of \_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
(Name of Registrant)

Name, title, address and telephone number of person completing this statement:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Item 1. Name and Address.**

State the names and addresses of the persons who hereby provide notice of their involvement in a pending acquisition or change in corporate control.

**Item 2. Name and Addresses of Affiliated Companies.**

State the names and addresses of the persons affiliated with those listed in Item 1. Describe their affiliations.

**Item 3. Nature and Purpose of The Proposed Merger or Acquisition.**

State the nature and purpose of the proposed merger or acquisition.

**Item 4. Nature of Business.**

State the nature of the business performed by each of the persons identified in response to Item 1 and Item 2.

**Item 5. Market and Market Share.**

State specifically what market and market share in each relevant insurance market the persons identified in Item 1 and Item 2 currently enjoy in this state. Provide historical market and market share data for each person identified in Item 1 and Item 2 for the past five (5) years and identify the source of such data.

For purposes of this question, market means direct written insurance premium in this state for a line of business as contained in the annual statement required to be filed by insurers licensed to do business in this state.

*AUTHORITY: sections 374.045 and 382.240, RSMo 2000. Original rule filed April 29, 1992, effective Dec. 3, 1992. Amended: Filed Nov. 23, 1998, effective July 30, 1999. Amended: Filed June 14, 2001, effective Dec. 30, 2001. Amended: Filed April 17, 2006.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities fifty thousand four hundred dollars (\$50,400) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed amendment at 10:00 a.m. on June 20, 2006. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested persons. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed amendment until 5:00 p.m. on June 20, 2006. Written statements shall be sent to Kevin Hall, Department of Insurance, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans With Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*



**FISCAL NOTE  
PRIVATE COST****I. RULE NUMBER**

Rule Number and Name:	20 CSR 200-11.101, Insurance Holding Company System Regulation with Reporting Forms and Instructions
Type of Rulemaking:	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
4	Applicants seeking to acquire control of a Missouri domestic insurance company	\$50,400 annually

**III. WORKSHEET**

Median number of Form A applications received during a calendar year over the past three full calendar years = 4

Average number of persons required by proposed amendment to submit a third party character report for each Form A = 15

Average cost for each business character report (based on recent invoices) = \$840.00

$4 \times 15 \times \$840 = \$50,400.00$

**IV. ASSUMPTIONS**

The median number of Form A applications, the average number of persons required to submit a third party character report, and the average cost of each business character report are assumed to remain constant, at least in terms of present value.

The proposed amendment does not have a sunset clause. Accordingly, the fiscal impact of the proposed amendment cannot be estimated on an aggregate basis. An estimate of the annual fiscal impact is provided instead.

The proposed amendment will affect only persons seeking to acquire Missouri domestic insurance companies. The Department's experience is that such persons do not qualify as small businesses. Accordingly, the proposed amendment imposes costs on certain private entities, but not on small businesses.

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 90—Weights and Measures  
Chapter 20—Method of Sale for Products**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Agriculture under section 413.065, RSMo Supp. 2005, the director amends a rule as follows:

**2 CSR 90-20.040** *NIST Handbook 130*, "Uniform Regulations for the Method of Sale of Commodities" is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2006 (31 MoReg 98). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 90—Weights and Measures  
Chapter 22—Packaging and Labeling**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Agriculture under section 413.065, RSMo Supp. 2005, the director amends a rule as follows:

**2 CSR 90-22.140** *NIST Handbook 130*, "Uniform Packaging and Labeling Regulation" is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2006 (31 MoReg 98-99). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 90—Weights and Measures  
Chapter 23—Inspection of Packaged Commodities**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Agriculture under section 413.065, RSMo Supp. 2005, the director amends a rule as follows:

**2 CSR 90-23.010** *NIST Handbook 133*, Technical Procedures and Methods for Measuring and Inspecting Packages or Amounts of Commodities is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2006 (31 MoReg 99). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 90—Weights and Measures  
Chapter 25—Price Verification**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Agriculture under section 413.065, RSMo Supp. 2005, the director amends a rule as follows:

**2 CSR 90-25.010** Price Verification Procedures is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2006 (31 MoReg 99-100). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

**3 CSR 10-5.331 Resident National Guard and Reserve Service Small Game Hunting and Fishing Permit is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2006 (31 MoReg 374-375). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Conservation received four (4) comments regarding this proposed rule.

COMMENTS: Jeremy Amick with the Military Benefits Program requested the deployment time be extended beyond the twelve (12) months listed in the rule and requested exemption from hunter education certification for members of the military. Bob Johnson, Gilliam, MO, requested this benefit be extended to all military veterans. Brian Graves, Springfield, thanked the department for implementing this new permit. Charles and Tracy Howell requested the privileges be extended to all active duty military personnel.

RESPONSE: Department of Conservation staff responded to all who commented. While we appreciate their comments and views, satisfying everyone's personal preference for a military permit cannot be accomplished. Therefore, the department made no changes to this rule.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT****Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 1—Organization****ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041, RSMo Supp. 2005 and 327.051.4, RSMo 2000, the board amends a rule as follows:

**4 CSR 30-1.020 Board Compensation is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 7-8). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT****Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 2—Code of Professional Conduct****ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-2.010 Code of Professional Conduct is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3,

2006 (31 MoReg 8-9). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT****Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 4—Applications****ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-4.050 Criteria to File Application Under 327.391, RSMo is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 9-10). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT****Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 5—Examinations****ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-5.020 NCARB Examinations—Architects is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 10). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT****Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 5—Examinations****ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape

Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-5.070 NCEES Examinations—Engineers is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 10–11). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional  
Engineers, Professional Land Surveyors, and  
Landscape Architects  
Chapter 6—Fees**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-6.020 Reexamination Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 13). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional  
Engineers, Professional Land Surveyors, and  
Landscape Architects  
Chapter 7—Nonresidents**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-7.010 Nonresidents is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 13). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional  
Engineers, Professional Land Surveyors, and  
Landscape Architects  
Chapter 11—Renewals**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.011, 327.041 and 327.621, RSMo Supp. 2005 and 327.171, 327.261 and 327.351, RSMo 2000, the board amends a rule as follows:

**4 CSR 30-11.010 Renewal Period is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 13–14). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional  
Engineers, Professional Land Surveyors, and  
Landscape Architects  
Chapter 13—Supervision**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.011, 327.041 and 327.621, RSMo Supp. 2005 and 327.171, 327.261 and 327.351, RSMo 2000, the board amends a rule as follows:

**4 CSR 30-13.010 Immediate Personal Supervision is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 14–15). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional  
Engineers, Professional Land Surveyors, and  
Landscape Architects  
Chapter 13—Supervision**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape



Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-13.020 Immediate Personal Supervision for Professional Land Surveyors is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 15-16). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 14—Definitions**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041, RSMo Supp. 2005 and 327.312, RSMo 2000, the board amends a rule as follows:

**4 CSR 30-14.020 Definition of Baccalaureate Degree From Approved Curriculum as Used in Section 327.312.1(1), RSMo is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 16). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 17—United States Public Land Survey Corners**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-17.010 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 16). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 18—First and Second Order Horizontal and Vertical Control**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-18.010 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 16). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 19—Standards for Surveyor's Real Property Report**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-19.010 Surveyor's Real Property Report is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 16-17). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

**Division 30—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects  
Chapter 20—Mapping Survey Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 30-20.010 Definitions is amended.**



A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 17). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, RSMo 2000 and 334.530 and 334.550, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 150-3.010 Applicants for Licensure as Professional  
Physical Therapists is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 208–209). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, RSMo 2000 and 334.530 and 334.550, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 150-3.030 Examination is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 209–210). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, RSMo 2000 and 334.530,

334.540 and 334.550, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 150-3.050 Temporary Licenses is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 210). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.650 and 334.670, RSMo 2000 and 334.655, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 150-3.110 Physical Therapist Assistant Requirements  
for Licensing by Examination is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 210–211). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.650 and 334.670, RSMo 2000 and 334.665, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 150-3.150 Physical Therapist Assistant Temporary  
Licensure is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 211–212). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT****Division 205—Missouri Board of Occupational  
Therapy****Chapter 5—Continuing Competency Requirements****ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Occupational Therapy under sections 324.065 and 324.080, RSMo 2000 and 324.086, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 205-5.010 Continuing Competency Requirements  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 17-19). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Two (2) comments were received.

COMMENT: The board received a comment from Karen Smith, The American Occupational Therapy Association, Inc., in support of the amendments to section (7) which contains the acceptable types of continuing competency activities. The association also suggested the same changes for External Self-Study Series learning activities. These in-depth courses include a post-test very similar to the Online Courses except that one (1) is computer-based and one (1) is paper-based. Both allow the learner to learn at their own pace and review materials as often as needed, as well as choose courses developed by noted authors/presenters based on content and interest rather than geographic proximity, date or other factors unrelated to learning. The current category for External Self-Study Series limits continuing competency credits (CCC) to ten (10) per cycle. In keeping with the board's recommendation to acknowledge shifts in learning methods, we request that the board also allow a maximum of twenty-four (24) CCCs for External Self-Study Series learning activities.

RESPONSE: Pursuant to 4 CSR 205-5.010 an individual is able to obtain all twenty-four (24) continuing competency credits by completing External Self-Study Series. Therefore, no change was made to the text of the rule.

COMMENT: The board received a comment from Carol Ponciroli, Missouri Occupational Therapy Association in support of the comment received from Karen Smith, The American Occupational Therapy Association, Inc.

RESPONSE: Pursuant to 4 CSR 205-5.010 an individual is able to obtain all twenty-four (24) continuing competency credits by completing External Self-Study Series. Therefore, no change was made to the text of the rule.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT****Division 210—State Board of Optometry  
Chapter 2—General Rules****ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.080 and 336.160.1, RSMo 2000, the board amends a rule as follows:

**4 CSR 210-2.030 License Renewal is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 212). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT****Division 210—State Board of Optometry  
Chapter 2—General Rules****ORDER OF RULEMAKING**

By the authority vested in the State Board of Optometry under sections 336.140 and 336.160, RSMo 2000, the board amends a rule as follows:

**4 CSR 210-2.070 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 212-215). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT****Division 232—Missouri State Committee of Interpreters  
Chapter 3—Ethical Rules of Conduct****ORDER OF RULEMAKING**

By the authority vested in the Missouri State Committee of Interpreters under sections 209.328.1, RSMo 2000 and 209.285 and 209.334, RSMo. Supp. 2005, the board amends a rule as follows:

**4 CSR 232-3.010 General Principles is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 19). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT****Division 240—Public Service Commission  
Chapter 3—Filing and Reporting Requirements****ORDER OF RULEMAKING**

By the authority vested in the Missouri Public Service Commission under sections 386.040, 386.250, 392.451 and 392.470, RSMo 2000, the commission adopts a rule as follows:

**4 CSR 240-3.570 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2005 (30 MoReg 2479-2485). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A hearing was held on January 6, 2006 and January 10, 2006 in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Oral testimony and written comments were received during the comment period regarding proposed rule 4 CSR 240-3.570. The record was held open until January 17, 2006 for additional comments and exhibits. Written comments supporting the rule, opposing the rule, and/or suggesting changes to the rule were received from the Office of the Public Counsel (OPC), the Small Telephone Company Group (STCG), the Missouri Independent Telephone Group (MITG), Alltel Communications, Inc. (Alltel), Spectra Communications Group, LLC d/b/a CenturyTel and CenturyTel of Missouri, LLC (collectively "CenturyTel"), Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri ("AT&T"), the Staff of the Missouri Public Service Commission (staff), and USCOC of Greater Missouri, LLC d/b/a U.S. Cellular (USC).

**COMMENT:** Alltel and USC commented that commission should not adopt the rule as proposed, but rather should adopt the Federal Communications Commission's (FCC's) Eligible Telecommunications Carrier (ETC) rules with limited exceptions.

**RESPONSE:** The FCC offered its ETC rules as guidelines to state commissions and encouraged state commissions to adopt additional requirements if necessary to analyze whether an ETC designation is in the public interest. No changes have been made to the rule as a result of these comments.

**COMMENT:** Alltel and staff commented that the commission should require a two (2)-year build-out plan rather than a five (5)-year build-out plan. AT&T commented that a five (5)-year network improvement plan should include the detailed requirements adopted by the FCC.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that a two (2)-year build-out plan is sufficient, provided that the carriers are required to submit an updated, rolling two (2)-year build-out plan with their annual certification filing.

**COMMENT:** Alltel commented that there is no basis for requiring state-specific service quality rules to be applied to ETCs that are not otherwise subject to those rules. USC commented that it would be unreasonably burdensome to require carriers with operations in multiple states to modify network, billing, and training systems to track and report compliance with the proposed rule. USC further commented that the requirement to require alternative local exchange carriers and wireless ETCs to abide by selected provisions of Chapter 32 should be deleted. CenturyTel commented that competitive and wireless ETCs should be required to comply with the same customer service, service quality, and consumer obligations as are required of the regulated incumbent local exchange carriers.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that alternative local exchange carriers and incumbent local exchange carriers are required to abide by Chapter 32. The commission further finds that quality of service requirements should not be imposed on wireless ETCs at this time and will amend the rule accordingly.

**COMMENT:** Alltel commented that the commission should refrain from applying the Missouri billing rules to ETCs since costly requirements could be a deterrent to potential applicants seeking ETC status in Missouri. USC commented that section (9) regarding bill design should be stricken as redundant since all carriers, including wireless providers, are subject to the FCC's truth-in-billing rules. The STCG commented that the proposed rule should go further and also require the competitive ETCs to comply with Chapter 33,

Service and Billing Practices. The STCG further commented that the competitive ETCs should be regulated on the same basis and to the same extent as the incumbent ETC. CenturyTel commented that competitive and wireless ETCs should be required to comply with the same service and billing obligations in Chapter 33 as are required of the regulated incumbent ETC. Staff commented that this section of the proposed rule requires ETCs to comply with state and federal billing requirements. Staff suggested the clause "and shall not represent that the carrier's discretionary cost recovery fees are taxes or government fees" be removed since this concept is incorporated in existing state and federal rules.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that the proposed rule simply requires ETCs to comply with existing state and federal rules and does not impose any additional state-specific requirements on carriers. The commission also finds that it will remove the clause "and shall not represent that the carrier's discretionary cost recovery fees are taxes or government fees" as suggested by the staff.

**COMMENT:** AT&T commented that the commission should add a new subsection (2)(F) to specifically require that an ETC applicant must demonstrate that the commission's grant of the request for ETC designation would be consistent with the public interest, convenience and necessity. The staff supported this suggested change in testimony at the public hearing.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission concurs and finds that this clarification should be added since a public interest determination is a key component to the granting of ETC designation.

**COMMENT:** AT&T commented that the commission should modify section (7) and subsection (24)(F) to require that the applicant acknowledge that the FCC may require them to provide equal access in the event that no other ETC is providing equal access within the service area. USC commented that the proposed rule is unclear on when a competitive ETC may be required to provide equal access to interexchange carriers. USC also commented that the equal access requirement appears to be unlawful because a wireless providers' obligation to provide equal access requires an FCC finding that subscribers are denied access to their chosen toll provider and that such denial is contrary to the public interest, convenience and necessity under 47 U.S.C. section 332(c)(8). To remove any confusion, the staff, in a supplemental comment filing, suggested the section be changed to require the applicant to acknowledge that it shall be required to provide equal access consistent with 4 CSR 240-32.100(3) and (4).

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that staff's revisions should be made which clarifies that equal access is only required if order by the commission or the FCC and will modify the rule to alleviate any confusion.

**COMMENT:** AT&T commented that the commission should add a definition that would specify the meaning of a "reasonable request for service." In testimony, the staff stated it did not oppose this suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission concurs and finds that a definition of "reasonable request for service" should be added to the rule.

**COMMENT:** AT&T commented that the commission should add text that would expressly require further detail regarding the carrier's ability to remain functional in emergency situations. In testimony, the staff stated it did not oppose this suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that the rule should be changed to require further detail regarding emergencies.

**COMMENT:** Alltel commented that (10)(A)5. was confusing as it seems to require a carrier to provide Phase 2 service even if it has not been requested.



**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with Alltel's comment and finds the rule should be changed to clarify the requirement exists where the local government agency has implemented enhanced 911 systems.

**COMMENT:** AT&T commented that subsection (10)(C) should be clarified to delete the suggestion that an ETC's service area can be expanded since the service area is defined by the order granting ETC designation. In testimony, the staff did not oppose this change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that this suggested change would clarify the rule and will modify the rule accordingly.

**COMMENT:** AT&T commented that subparagraph (10)(D)2.F. should require the ETC, when responding to an ETC request, to "employ, lease or construct an additional cell site, cell-extender, repeater, or other similar equipment to provide service." In testimony, the staff stated it did not oppose this suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that this suggested change would improve upon the rule and will modify the rule accordingly.

**COMMENT:** AT&T commented that the commission should require more detailed information on how many requests for service from potential customers were unfulfilled for the past year.

**RESPONSE:** The commission finds that this addition is not necessary. No changes have been made to the rule as a result of this comment.

**COMMENT:** AT&T commented that the commission should modify subsection (24)(F) to require more detailed certifications by the ETCs in the form of an affidavit signed by an officer of the company.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that the affidavit requirement should be modified to include additional commitments to comply with the consumer code for wireless service.

**COMMENT:** The staff commented that the rule should be more competitively neutral throughout by removing references to specific types of carriers where possible and replacing those terms with "ETCs" or "carriers." AT&T and CenturyTel commented that removing references to competitive carriers in an effort to make the rule competitively neutral should not enlarge obligations already held by incumbent local exchange carriers in other chapters of the commission's rules. The MITG commented that if the rule is to apply to incumbent ETCs, further procedures are necessary, including an additional rulemaking and additional hearings. The MITG further commented that it would be inappropriate to apply rules suited for competitive ETCs to incumbent ETCs. The STCG commented that expanding the rule to include incumbent ETCs could violate the published notice and fiscal impact requirements under Chapter 536. Spectra and CenturyTel commented that several reasons exist to not broaden the rule to include incumbent ETCs.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that the rule should not be expanded to include new obligations on incumbent ETCs. The commission will modify the rule so that incumbent ETCs are only required to comply with existing ETC requirements already applicable to the incumbent ETCs.

**COMMENT:** The staff and AT&T commented that subsection (2)(D) should be clarified to indicate that support will be used to cover expenses in addition to expenses normally incurred.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that this suggested change would improve upon the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that the sections (4) and (5) commitments to provide local usage, Lifeline and Link Up should be clarified.

**RESPONSE:** The commission agrees and finds that these areas need clarification. The commission will change the rule consistent with the staff's proposed revisions.

**COMMENT:** The staff commented that section (8) should be modified to provide for future changes to the *CTIA Consumer Code for Wireless Service*.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that paragraph (10)(D)4. should be changed to include denied service requests in the ETC's annual certification documentation, rather than in quarterly reports. USC commented that it is unclear why the commission would need quarterly reports of the same information given in the annual certification.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that the rule should be changed to require denied service requests in the annual certification process.

**COMMENT:** The staff commented that section (17) should be expanded to require a customer service contact in all cases, not just when the carrier uses a third party billing agent.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff and USC commented that section (20) be deleted because it would require CMRS carriers to provide certain information not subject to the commission's jurisdiction or related to ETC designation. For consistency with this deletion, the staff also recommends section (21) be removed. USC commented that the use of the term "annual report" in section (20) should be defined. USC also commented that the section (20) reference to "official commission forms with appropriate cross-references" should be clarified.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with staff and finds that the suggested deletion of sections (20) and (21) would improve the rule and will modify the rule accordingly. This deletion should also satisfy the comments made by USC regarding section (20).

**COMMENT:** The staff commented that section (22) should be modified to allow carriers to either notify the Telecommunications Department or update the commission's electronic filing system when company contacts change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that the reference to the annual certification process approved in Case No. TO-2002-347 should be removed to avoid any confusion over what process is appropriate.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that sections (26) and (28) should be modified for clarification purposes.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that the commission should change section (29) to remove the implication that wireless ETCs must seek approval from the commission for a name change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.



**COMMENT:** The staff commented that a new section should be added to require ETCs to assist the staff in comparing residential rates in rural areas served by non-rural incumbent local exchange carriers to urban rates nationwide, as required by 47 CFR section 54.316.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that a new section should be added to require all ETCs to comply with all sections of 4 CSR 240-3.570 prior to the October 1, 2006 annual certification date, and to submit a statement as to the ETC's compliance with this rule.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** The staff commented that carriers with pending ETC designation requests should be required to submit information required by this rule within thirty (30) days of the effective date of the rule.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

**COMMENT:** OPC commented that wireless carriers are not subject to the commission's jurisdiction, but if they are accepting support through ETC status, which is authorized by the commission, then they should abide by certain commission regulations.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees that certain of its rules should apply to all carriers designated as ETCs. The commission modifies the rule to clarify that application of ETC status shall be deemed to be acceptance of Missouri commission jurisdiction in matters related to ETC designation, annual certification and acceptance of additional rules applicable to ETCs.

**COMMENT:** The staff recommended ETCs comply with existing commission consumer complaint processes. USC encourages the commission to proceed cautiously when considering rules that would regulate an ETC as an incumbent local exchange carrier. USC states there are important reasons favoring less regulation of competitive ETCs because competition is a very effective driver of high-quality service, more so than regulations aimed at protecting consumers from monopoly business practices.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees that competitive ETCs should not be regulated as incumbents. As such, the commission removes sections (13), (14), (15), (16) and (18) of the proposed rule. Instead, the commission will establish a requirement that competitive ETCs submit a report to the commission as part of the annual certification on any consumer complaints filed with the Federal Communications Commission for which the company has knowledge that are directly related to the Missouri designated ETC service area.

**COMMENT:** USC commented that the proposed rule consists of wireline regulations being imposed on wireless carriers with no adjustment for technology or consideration of necessity.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that the portions of the rule will be modified so that regulations specific to wireline technology will not be imposed upon wireless carriers.

**COMMENT:** USC commented that the rules should not be adopted if the record has not demonstrated that: 1) existing certification requirements are not adequate; or 2) competitive pressures and federal requirements are not sufficient to ensure CMRS ETCs will provide high-quality service.

**RESPONSE:** The commission finds that the final rule as published below is fully supported by the comments and testimony received.

**COMMENT:** USC commented that the commission should revise the rule to eliminate duplicative and inconsistent filing requirements.

**RESPONSE:** The commission finds that the final rule as published below does not contain duplicative or inconsistent filing requirements.

**COMMENT:** USC commented that the sections (2) and (24) requirement to spend support only to "improve coverage, service quality or capacity" is inconsistent with federal law at 47 U.S.C. section 254(e), which requires all ETCs to use support on the "provision, maintenance and upgrading" of supported services and facilities. USC also commented that it would not be competitively neutral to impose this requirement on competitive ETCs and not on incumbent ETCs. Spectra and CenturyTel commented that this difference is only an attempt to address technological differences and the way services are provisioned as between wireless and wireline carriers.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission finds that it will not limit the use of Universal Service Fund (USF) support to improve coverage, service quality or capacity. However, as USC notes, the Telecommunications Act states support will only be used for the "provision, maintenance, and upgrading of facilities and services for which the support is intended." Section 254 outlines the principles for the preservation and advancement of universal service, including access in rural and high cost areas. According to 47 U.S.C. 254(b), support is intended such that, "Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications services and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar service in urban areas. Consistent with the Telecommunications Act, the commission finds that it will include a carrier's commitment to improve coverage, service quality or capacity as a part of the commission's public interest analysis, which will also include a demonstration that the support is used for the purpose intended.

**COMMENT:** USC commented that the informational tariff requirement of sections (12) and (11) could be erroneously interpreted to mean traditional commission tariff review and approval, which is preempted under federal law at 47 U.S.C. section 332(c)(3). USC also commented that a tariff requirement would be burdensome and not in the best interests of consumers. In its written comments, the staff supports the informational filings stating that it is not anticipated that the commission will review and/or approve such filings. The staff also stated that informational filings will only provide the commission and the consumer with a source to access service offering information for all providers designated as ETCs.

**RESPONSE:** The commission concurs with the comments of the staff and finds that the informational filings will provide the commission and the consumer with a source to access service offering information for all providers designated as ETCs. The commission clarifies that the filings are for informational purposes only and will not be subject to review or approval by the commission. No changes have been made as a result of these comments.

**COMMENT:** U.S.C. commented that the proposed rule should allow local usage comparability in terms of overall consumer value and any suggestion that local calling scopes or plans must be duplicated by wireless ETCs is contrary to an FCC order. The staff, in its written comments, notes that the intention of this section is not to require wireless and wireline providers to offer identical local usage plans, but to require that they offer plans with similar characteristics. The staff notes that the commission would review compliance with this section of the proposed rule on a case-by-case basis.

**RESPONSE:** The commission agrees with the staff and finds that the local usage provision is consistent with the FCC's orders. No changes have been made as a result of these comments.

COMMENT: USC commented that the requirement of unlimited local calling for Lifeline subscribers found in paragraph (10)(A)11. is not competitively neutral and not found in the federal regulations. USC further commented that an unlimited local calling requirement is a state action subject to federal preemption.

RESPONSE AND EXPLANATION OF CHANGE: The commission finds that the requirement for unlimited local calling for Lifeline subscribers should be removed from the rule.

COMMENT: USC commented that the paragraph (10)(A)7. requirement to provide "access to telecommunications relay services by dialing 711" would require a carrier to provide a service not supported by USF. USC further commented that the commission has no authority to expand the federal list of supported services.

RESPONSE: The commission finds that this is a federal requirement in 47 CFR 64.603. No changes have been made as a result of these comments.

COMMENT: The staff commented that certain proposed language could be added to require ETCs to annually meet with the staff to review and discuss the ETC's two (2)-year improvement plan.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees and finds that this suggested change would improve the rule and will modify the rule accordingly.

COMMENT: Ms. Barbara Meisenheimer with the OPC testified that information submitted to the commission by ETCs should include sample contracts between the company and the customer.

RESPONSE: The commission finds that the information provided in the two (2)-year plan and in the informational filings is sufficient for commission review of an ETC designation request and annual recertification request. No changes have been made as a result of this comment.

COMMENT: Ms. Barbara Meisenheimer with the OPC testified that a wireless ETC should not be allowed to collect any more as a customer portion of a build out than does the incumbent because they receive exactly the same support money for serving that customer.

RESPONSE: The commission finds that due to the network differences between the wireless and the wireline carriers, the wireless ETCs should not be tightly tied to the practices of the wireline networks. No changes have been made as a result of this comment.

#### **4 CSR 240-3.570 Requirements for Carrier Designation as Eligible Telecommunications Carriers**

(1) For purposes of this rule, the following definitions apply.

(C) Eligible telecommunications carrier (ETC) is a carrier designated as such by the Missouri Public Service Commission pursuant to 47 U.S.C. 214(e) in order to receive universal service support. Eligible telecommunications carrier (ETC) shall refer to alternative local exchange carriers and commercial mobile radio service providers and shall not include incumbent local exchange carriers unless otherwise specified.

(E) Reasonable request for service refers to a request for service of a type and quantity that is not in excess of service which is normally requested by like customers and is for service at a location within the carrier's designated service area.

(2) Applications for Designation as an ETC.

(A) Each request for ETC designation shall include:

1. Intended use of the high-cost support, including detailed descriptions of any construction plans with start and end dates, populations affected by construction plans, existing tower site locations for CMRS cell towers, and estimated budget amounts;

2. A two (2)-year plan demonstrating, with specificity, that high-cost universal service support shall only be used for the provision, maintenance and upgrading of facilities and services for which

the support is intended in the Missouri service area in which ETC designation was granted.

A. For purposes of this section, "support is intended" is defined consistent with the Telecommunications Act which outlines the following principles:

(I) Quality and rates—quality services should be available at just, reasonable, and affordable rates;

(II) Access to advanced services—access to advanced telecommunications and information services should be provided in all regions of the state;

(III) Access in rural and high cost areas—consumers in all regions of Missouri, including those in rural, insular and high-cost areas will have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas;

3. The two (2)-year plan shall include a demonstration that universal service support shall be used to improve coverage, service quality or capacity on a wire center-by-wire center basis throughout the Missouri service area for which the requesting carrier seeks ETC designation including:

A. A detailed map of coverage area before and after improvements and in the case of CMRS providers, a map identifying existing tower site locations for CMRS cell towers;

B. The specific geographic areas where improvements will be made;

C. The projected start date and completion date for each improvement;

D. The estimated amount of investment for each project that is funded by high-cost support;

E. The estimated population that will be served as a result of the improvements;

F. If an applicant believes that service improvements in a particular wire center are not needed, it must explain its basis for this determination and demonstrate how funding will otherwise be used to further the provision of supported services in that area; and

G. A statement as to how the proposed plans would not otherwise occur absent the receipt of high-cost support and that such support will be used in addition to any expenses the ETC would normally incur;

4. A demonstration of the carrier's ability to remain functional in emergency situations, including a demonstration that the carrier has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities and is capable of managing traffic spikes resulting from emergency situations;

5. A demonstration that the commission's grant of the applicant's request for ETC designation would be consistent with the public interest, convenience and necessity;

6. A commitment to advertise the availability of services and charges therefore using media of general distribution throughout the ETC service area;

7. A commitment to provide Lifeline and Link Up discounts consistent with 47 CFR 54.401 and 47 CFR 54.411. Each request for ETC designation shall include a commitment to publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for the service consistent with 47 CFR 54.405;

8. A statement that the carrier will satisfy consumer privacy protection standards as provided in 47 CFR 64 subpart U and service quality standards as applicable;

9. A statement that the requesting carrier acknowledges it shall provide equal access pursuant to 4 CSR 240-32.100(3) and (4) if all other ETCs in that service area relinquish their designations pursuant to section 214(e) of the Telecommunications Act of 1996; and

10. A commitment to offer a local usage plan comparable to those offered by the incumbent local exchange carrier in the areas for which the carrier seeks designation. Such commitment shall include

a commitment to provide Lifeline and Link Up discounts and Missouri Universal Service Fund (MoUSF) discounts pursuant to 4 CSR 240-31, if applicable, at rates, terms and conditions comparable to the Lifeline and Link Up offerings and MoUSF offerings of the incumbent local exchange carrier providing service in the ETC service area.

(B) Each request for ETC designation by a CMRS provider shall include a commitment to abide by the consumer code for wireless service recognized by the Cellular Telecommunications and Internet Association (CTIA) at the time of the ETC designation request. As part of the initial application, a CMRS provider shall include a copy of the consumer code for wireless service currently recognized by CTIA to which it commits to abide. Any CMRS provider designated as an ETC shall file with the commission, any change(s) to the consumer code for wireless service included with its application or any subsequent code approved under this section of the rule, within thirty (30) days of the change(s). The commission shall allow interested parties thirty (30) days to provide comment as to whether the CMRS provider should be required to commit to the proposed changes, or should continue to abide by the consumer code for wireless service currently approved for that provider.

(C) Each request for ETC designation shall include a plan outlining the method for handling unusual construction or installation charges.

### (3) Service Requirements of ETCs.

(A) ETCs shall develop a bill design that can be easily interpreted by their customers and clearly sets forth charges in compliance with state and federal billing requirements.

(B) ETCs shall provide customer service contact information online and on billing statements. This requirement also applies to ETCs that use a third party billing agent.

#### (C) Service Provisioning Commitment.

1. ETC shall make available to each end-user subscribing to its supported services within its ETC designated service area the following service features:

A. Dual tone multi-frequency signaling or its functional equivalent;

B. Single-party service or its functional equivalent;

C. Access to emergency services;

D. Emergency telephone number services capable of automatic number identification, automatic location identification and call routing facilities to facilitate public safety response; e.g., enhanced 911 service, where the local government agency serving the end-user has implemented enhanced 911 systems;

E. Access to interexchange service;

F. Access to telecommunications relay services by dialing 711;

G. Access to Directory Assistance service;

H. Access to operator services; and

I. Toll limitation and/or blocking for qualifying low-income consumers.

2. ETCs shall publicize the construction of all new facilities that will enhance services in unserved or underserved areas so that consumers are aware of the improved service in the area.

3. ETCs shall extend their networks to serve new customers upon a reasonable request. ETCs shall take the following steps, as applicable, to respond to all such reasonable requests for service within its ETC service area.

A. If a request comes from a customer residing within the ETC service area where the ETC already provides service, the ETC shall immediately provide service using its standard customer equipment.

B. If a request comes from a customer residing within the ETC service area where the ETC does not already provide service, the ETC shall take reasonable steps to provide acceptable service at no cost to the customer, including: modifying or replacing customer equipment; deploying a roof-mounted antenna or other network equipment at the premises; making adjustments at the nearest cell site

or to other network or customer facilities; employing, leasing or constructing an additional cell site, a cell-extender, repeater or other similar equipment; or offering resold service of other carriers that have facilities available to that premises.

C. Where special conditions or special requirements of the customer involve unusual construction or installation costs, the customer may be required to pay a reasonable portion of such costs in accordance with the plan outlining the method for handling unusual construction or installation charges approved by the commission at the time of designation as an ETC.

D. If there is no possibility of providing service to the requesting customer, the ETC shall notify the customer and include such information in its annual certification documentation to the commission.

(D) Within thirty (30) days of receiving ETC status, each CMRS carrier designated as an ETC shall make an informational filing with the commission consisting of a complete description of all of its service offerings. Such informational filings will be amended as service offerings are introduced or modified.

(E) ETCs shall maintain a record of customer complaints that have been received by the company in a manner that includes, at a minimum: the end-user name; the account number; a description of the complaint; the date the complaint was filed; the resolution; and the amount of refund or credit, if any. ETCs shall also maintain a record of complaints from consumers in the Missouri service area in which ETC designation was granted that have been submitted to or filed with the Federal Communications Commission for which the company has knowledge in a manner that includes, at a minimum: a description of the complaint; the date the complaint was filed; the date the complaint was resolved; the resolution of the complaint and the amount of refund or credit, if any.

(F) ETCs shall, within ten (10) days of a change in the company-designated contacts, either notify the manager of the Telecommunications Department, in writing or by electronic mail, or shall update the commission's electronic filing system (EFIS). The notification or update shall include the name(s), address(es) and/or telephone number(s) of the designated individual(s). The contact name(s) provided pursuant to this section shall be the individual(s) primarily responsible for: customer service; repair and maintenance; answering complaints; authorizing and/or furnishing refunds to customers; and informational or tariff filing issues.

### (4) Annual Filing Requirements for ETCs.

(A) All ETCs, including incumbent local exchange telecommunications carriers that receive federal high-cost support, shall, by August 15 of each year, submit an affidavit executed by an officer of the company attesting that federal high-cost support is used consistent with the commission's rules and the Telecommunications Act of 1996. The affidavit will be accompanied by documentation of support received and costs incurred. The commission or its staff may request additional information regarding the annual certification. Questions regarding the appropriate documentation for ETCs should be directed to the commission's Telecommunications Department.

(B) ETCs seeking certification by October 1 of each year shall, no later than June 15 of each year, set up a meeting with the Telecommunications Department staff and the Office of the Public Counsel to review and discuss the ETC's proposal for the two (2)-year improvement plan. The meeting shall include a discussion of the proposed plan and any changes to the plan that would improve coverage, service quality or capacity in unserved or underserved areas in the Missouri service area in which ETC designation was granted.

1. A two (2)-year improvement plan shall include progress updates on any previously submitted plan. The two (2)-year improvement plan shall include, with specificity, proposed improvements or upgrades to the carrier's network on a wire center-by-wire center basis throughout its proposed designated service area and address all of the separate components addressed in the initial plan, set forth in (2)(A)2. above.



2. Reports on unfilled service requests and customer complaints for the previous year and how the two (2)-year improvement plan may address such requests and complaints.

(C) ETCs shall submit a demonstration that the receipt of high-cost support was used only for the provision, maintenance and upgrading of facilities and services for which the support is intended in the Missouri service area in which ETC designation was granted.

1. For purposes of this section, "support is intended" is defined consistent with the Telecommunications Act which outlines the following principles:

A. Quality and rates—quality services should be available at just, reasonable, and affordable rates;

B. Access to advanced services—access to advanced telecommunications and information services should be provided in all regions of the state;

C. Access in rural and high-cost areas—consumers in all regions of Missouri, including those in rural, insular and high-cost areas will have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.

(D) ETC shall submit a demonstration that high-cost support was used to improve coverage, service quality or capacity in the Missouri service area in which ETC designation was granted and that such support was used in addition to any expenses the ETC would normally incur.

(E) ETCs shall submit an affidavit signed by an officer of the company certifying that the ETC continues to comply with the approved consumer code for wireless service recognized by the Cellular Telecommunications and Internet Association (CTIA) and/or applicable service quality standards and consumer protection rules, certifying that the ETC continues to be able to function in emergency situations, continues to offer a local usage plan comparable to that offered by the incumbent local exchange telecommunications carrier in the relevant service areas (if applicable), and continues to acknowledge that it shall provide equal access pursuant to 4 CSR 240-32.100(3) and (4) if all other ETCs in that service area relinquish their designations pursuant to section 214(e)(3) of the Telecommunications Act of 1996.

(F) ETCs shall submit a report of complaints from consumers in the Missouri service area in which ETC designation was granted that have been submitted to or filed with the Federal Communications Commission in the previous twelve (12) months for which the company has knowledge. Such report shall include, at a minimum: a description of the complaint; the date the complaint was filed; the date the complaint was resolved; the resolution of the complaint and the amount of refund or credit, if any. If the commission finds the ETC's resolution of complaints is not satisfactory or if a particular type of complaint is recurring without being satisfactorily addressed, then the commission may decline to certify the ETC during the annual certification process.

(G) An application for ETC designation shall be deemed to be acceptance of Missouri Public Service Commission jurisdiction over any issues related to ETC designation and status and USF funding and acceptance of additional rules made applicable to that ETC.

(H) All ETCs, including incumbent local exchange telecommunications carriers, in non-rural areas of Missouri shall, in conjunction with the annual high-cost certification process, assist the commission staff in comparing residential rates in rural areas served by non-rural incumbent local exchange carriers to urban rates nationwide.

(I) All reports required to be submitted to the commission shall be attested to by an officer or authorized agent of the ETC or incumbent local exchange telecommunications carrier.

(J) Except as otherwise provided in commission rules, ETCs shall keep all books and records associated with its ETC designation and/or the commission's annual certification process in accordance with good business practices, and at such place as they are normally

kept in the usual course of business. The ETC shall make its books and records associated with its ETC designation and/or the commission's annual certification process available to the commission at reasonable times for examination and inspection at a location designated by the commission.

(K) All records required by this rule shall be preserved for at least two (2) years.

(L) ETCs, or carrier requesting ETC designation, shall promptly furnish requested information, including financial information, related to its designation as an ETC to the commission, its staff or the Office of the Public Counsel.

#### (5) Additional Requirements.

(A) Each CMRS provider shall submit to the commission a letter reflecting a change to the name and/or change, deletion or addition of a trade name under which the ETC will be doing business in the state of Missouri, attaching, as applicable, an amended Certificate of Incorporation, Fictitious Name registration or an amendment thereof. The CMRS provider shall modify its current informational filing, as required in subsection (3)(D) to reflect the new name and shall attest that no revisions are being made, except for the name change.

(B) ETCs shall not self-certify to the Universal Service Administrative Company for receipt of federal universal service funds.

(C) ETCs, including incumbent local exchange telecommunications carriers, shall not willfully make any false entry in any business record of any kind kept by it, nor shall it willfully destroy, mutilate, alter or by any method falsify any such record, nor shall it willfully neglect or fail to make full, true and correct entries in such records of all facts and transactions appertaining to its business, nor shall it falsify any statement to the commission.

(D) Allegations of failure to comply with this rule shall be filed with the commission in the form of a formal complaint pursuant to 4 CSR 240-2.070. Resolution of the complaint may result in revocation of the ETC designation.

(E) The commission shall not certify, by October 1 of each year, any ETC, including incumbent local exchange telecommunications carriers, that fails to comply with these rules.

(F) ETCs shall submit to the commission staff, by August 15, 2006, a statement of compliance with 4 CSR 240-3.570. All carriers with requests for ETC designation pending as of the effective date of this rule shall submit, within thirty (30) days of the effective date of the rule, any missing information required by 4 CSR 240-3.570 or a statement that all required information was previously submitted as part of the request for ETC designation.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 270—Missouri Veterinary Medical Board Chapter 1—General Rules**

### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under sections 340.210, 340.228 and 340.300, RSMo 2000, the board amends a rule as follows:

#### **4 CSR 270-1.031 Application Procedures is adopted.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 19-20). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.



**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 270—Missouri Veterinary Medical Board  
Chapter 1—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under sections 340.210, 340.258, 340.314, 340.322, 340.324 and 340.326, RSMo 2000 and 340.262, 340.312 and 340.320, RSMo Supp. 2005, the board amends a rule as follows:

**4 CSR 270-1.050 Renewal Procedures is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 20). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 270—Missouri Veterinary Medical Board  
Chapter 4—Minimum Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under sections 340.210, 340.224 and 340.264, RSMo 2000, the board amends a rule as follows:

**4 CSR 270-4.011 Minimum Standards for Veterinary Facilities  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 20-22). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 270—Missouri Veterinary Medical Board  
Chapter 4—Minimum Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Veterinary Medical Board under sections 340.210, 340.264 and 340.284, RSMo 2000, the board amends a rule as follows:

**4 CSR 270-4.041 Minimum Standards for Medical Records  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2006 (31 MoReg 23). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 40—Division of Fire Safety  
Chapter 2—Boiler and Pressure Vessel Safety Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Fire Safety under section 650.215, RSMo 2000, the division amends a rule as follows:

**11 CSR 40-2.010 Definitions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2006 (31 MoReg 318-319). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 40—Division of Fire Safety  
Chapter 2—Boiler and Pressure Vessel Safety Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Fire Safety under section 650.215, RSMo 2000, the division amends a rule as follows:

**11 CSR 40-2.015 Code/Standards Adopted by Board is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2006 (31 MoReg 319-320). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 40—Division of Fire Safety  
Chapter 2—Boiler and Pressure Vessel Safety Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Fire Safety under section 650.215, RSMo 2000, the division amends a rule as follows:

**11 CSR 40-2.030 Power Boilers is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2006 (31 MoReg 320). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 40—Division of Fire Safety  
Chapter 2—Boiler and Pressure Vessel Safety Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Fire Safety under section 650.215, RSMo 2000, the division amends a rule as follows:

**11 CSR 40-2.040 Heating Boiler is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2006 (31 MoReg 320-321). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.280, RSMo Supp. 2005 and 407.536.8, RSMo 2000, the director amends a rule as follows:

**12 CSR 10-23.420 Secure Power of Attorney Requirements  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 216). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 23—Motor Vehicle****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.196, 301.197, 301.198 and 301.280, RSMo Supp. 2005, the director adopts a rule as follows:

**12 CSR 10-23.470 Notice of Sale is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 216-217). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 24—Driver License Bureau Rules****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 302.272, RSMo Supp. 2005, the director rescinds a rule as follows:

**12 CSR 10-24.370 Criteria for an Approved School Bus  
Program to Waive the Written Examination is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 1, 2006 (31 MoReg 217). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 24—Driver License Bureau Rules****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 302.272, RSMo Supp. 2005, the director rescinds a rule as follows:

**12 CSR 10-24.400 Delegation of Authority to Administer  
Missouri School Bus Operator's Permit Examinations  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 1, 2006 (31 MoReg 217). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE  
Division 40—State Lottery  
Chapter 80—General Rules—Instant Game****ORDER OF RULEMAKING**

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 2005, the commission amends a rule as follows:

**12 CSR 40-80.080 Claim Period is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2005 (30 MoReg 2563). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE  
Division 400—Life, Annuities and Health  
Chapter 2—Accident and Health Insurance in General****ORDER OF RULEMAKING**

By the authority vested in the director of the Missouri Department of Insurance under section 374.045, RSMo 2000 the director adopts a rule as follows:

**20 CSR 400-2.170 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 219-221). Those sections with changes have been reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The department received eleven (11) comments on the proposed rule.

**COMMENT:** The department received two (2) comments that lump sum payments under paragraphs (3)(A) 2. and 3. be allowed to be made by the parent company on behalf of all affiliates and that affiliation be determined by the National Association of Insurance Commissioners (NAIC) four (4)-digit group code.

**RESPONSE:** The department responds that the affiliation by NAIC four (4)-digit group code is already incorporated into the rule under subsection (1)(E). There is no change needed in the rule based on this comment. The department will continue to work with Department of Elementary and Secondary Education (DESE) and the carriers for a more practical implementation of the lump-sum payment provision for affiliated carriers.

**COMMENT:** The department received a suggestion that the word "together" be added after the word "affiliates" in paragraph (3)(A)3. **RESPONSE AND EXPLANATION OF CHANGE:** The department agrees with this suggestion and adds the word "together" in paragraph (3)(A)3.

**COMMENT:** The department received a suggestion that the definition of "health benefit plan" in subsection (1)(F) include all of the excluded lines of business identified in section 376.1218.8, RSMo Supp. 2005.

**RESPONSE:** The department feels that the statute is clear on the exclusions and declines to make this change. The definition referenced for "health benefit plan" is a commonly used definition in many other statutes and regulations which also include excluded lines of business.

**COMMENT:** The department received a comment asking for a clarification on the definition of "assistive technology devices" in subsection (1)(A) and asked for a reference to a deemed rate on products not included in the applicable Medicaid rate schedule.

**RESPONSE AND EXPLANATION OF CHANGE:** The department responds that the definition in subsection (1)(A) of "assistive technology device" was taken from an existing federal regulation defining this term and declines to change the definition. However, the department does agree that subsection (3)(E) should be changed to include "an" applicable Medicaid rate for such services or "assistive technology devices."

**COMMENT:** The department received a comment asking for clarification of paragraph (3)(A)1. on the "per policy, per year" statutory obligation and when the "first steps" mandate becomes applicable to a group policy.

**RESPONSE AND EXPLANATION OF CHANGE:** The department feels that section 376.1218.1, RSMo Supp. 2005 is clear in that it obligates every carrier providing coverage in a calendar year to a three thousand dollar (\$3,000)-maximum annual benefit. The department does not think a change is necessary in this section of the rule. However, the department is willing to incorporate the statutory obligation into the rule and adds a new section (2). In addition, each subsection following section (2) will be renumbered accordingly.

**COMMENT:** The department received a comment regarding subsection (3)(B) asking for a confirmation on the time frame on the applicability of the prompt pay laws found in section 376.383 and section 376.384, RSMo Supp. 2005, to payments for First Step claims.

**RESPONSE:** The department feels that section 376.1218.5, RSMo Supp. 2005, is sufficiently clear and no change to the rule is needed.

**COMMENT:** The department received a comment regarding paragraph (3)(C)1. and the ability of a health carrier to obtain DESE records on payments of claims for a given child in a given year.

**RESPONSE:** The department responds by stating that since each carrier is obligated to payment of the full three thousand dollar (\$3,000)-benefit per member per policy per calendar year, there is no need for a health carrier to know the payments made by a prior carrier in a given year and decline to make any changes to the rule in that regard.

**COMMENT:** The department received a comment asking for clarification of subparagraphs (3)(C)3.B. and E., on the electronic billing format to be used by the carriers. The comment suggests that the electronic billing form be consistent with the federal Health Insurance Portability and Accountability Act (HIPAA) format.

**RESPONSE:** The department responds that the rule does reference "an electronic format consistent with federal administrative simplification standards, format and content adopted pursuant to the Health Insurance Portability and Accountability Act of 1996." The department declines to make a change to the rule in this regard.

**COMMENT:** The department received a comment on subparagraph (3)(C)3.D. and clarification as to whom this section of the rule applies.

**RESPONSE:** The department feels that subparagraph (3)(C)3.D. is clear that it applies to health carriers in stating that: "Health carriers shall not bundle claims for First Steps Programs." Therefore, the department does not feel a change to the rule is necessary.

**COMMENT:** The department received a comment regarding paragraph (3)(C)4. and the obligation of multiple health carriers to be required to pay individual three thousand dollar (\$3,000)-benefit maximum on one (1) child per calendar year and whether a lump sum payment by a primary carrier will absolve a secondary carrier from any further payment obligation.

**RESPONSE AND EXPLANATION OF CHANGE:** The department feels that section 376.1218, RSMo Supp. 2005, is clear in obligating any health carrier or health benefit plan with an applicable contract of coverage to pay three thousand dollars (\$3,000) per member, per policy, per calendar year. If a health carrier satisfies their obligation with a lump sum payment, this payment does not relieve secondary health carriers from their obligation. To clarify the department has added a new subparagraph A to 20 CSR 400-2.170(3)(C)4. Subsequent subparagraphs have been renumbered accordingly.

**COMMENT:** The department received a comment regarding waiver by DESE of member's out of pocket expenses and tax consequences for members on a qualified high deductible health plan with a corresponding Health Savings Account.

**RESPONSE:** The department responds by noting that the issues raised in the comment, although directed to the department, are not under control of the department and therefore no changes are being made to the rule in that regard.

## 20 CSR 400-2.170 Early Intervention Part C Coverage

(2) Health benefit plans shall provide this coverage on the first date on or after January 1, 2006, on which the contract or certificate is delivered, issued for delivery, continued or renewed in this state.

(3) Health Carriers to Recognize First Steps as Provider.

(A) First Steps shall be considered the rendering provider for all claims covered under section 376.1218, RSMo, and this rule.

(B) First Steps shall be considered a participating and/or network provider by all health carriers. All health carriers shall use the Missouri standardized credentialing form or the Federal W-9 tax form to establish network provider status for First Steps. Health carriers shall take all necessary steps to assure that claims submitted by First Steps are not denied, delayed, or reduced for reasons related to network participation.



**(4) Requirements for Acceptance and Payment of Claims.**

(A) Health carriers shall have the option to pay claims for First Steps services in one (1) of three (3) ways:

1. A health carrier shall pay individual claims submitted for each service to First Steps as the rendering provider, and such coverage shall be limited to three thousand dollars (\$3,000) for each covered child per policy per calendar year, with a lifetime policy maximum of nine thousand dollars (\$9,000) per child. Such payments shall not exceed one-half of one percent (0.5%) of the direct written premium for health benefit plans; or

2. A health carrier and all of its affiliates together shall submit a lump sum payment to First Steps for one-half of one percent (0.5%) of the direct written premiums reported to the Department of Insurance on each health carrier's most recently filed annual financial statement, per calendar year, which shall satisfy each affiliated health carrier's payment obligation for First Steps services for such calendar year; or

3. A health carrier and all of its affiliates together shall make a lump sum payment of five hundred thousand dollars (\$500,000), per calendar year, to First Steps, which shall satisfy the health carrier and its affiliates' payment obligation for First Steps services for such calendar year.

4. As between paragraphs 2. and 3. of this subsection, the health carrier shall pay whichever amount is less.

(B) Payment of individually submitted claims under paragraph (4)(A)1. shall be subject to the requirements of sections 376.383 and 376.384, RSMo, as of January 1, 2007.

(C) For health carriers opting to make payments on individual claims under paragraph (4)(A)1.:

1. Such health carriers shall be responsible for keeping records to determine when the maximum three thousand dollars (\$3,000) per child, per policy, per calendar year has been reached. If there is an irreconcilable discrepancy between a health carrier's records and Missouri Department of Elementary and Secondary Education (DESE) records, DESE's records shall prevail.

2. Such health carriers shall amend their applicable coverage documents to reflect First Steps benefits, and may do so by endorsement.

A. Such documents shall contain the same or substantially the same benefit description as stated in section 376.1218, RSMo, subsection 1.

3. Health carriers shall receive and issue payment for First Steps claims.

A. All claim payments shall be sent to DESE's designee.

B. Health carriers shall submit all First Steps remittance advices to DESE's designee in an electronic format consistent with federal administrative simplification standards, format and content adopted pursuant to the Health Insurance Portability and Accountability Act of 1996. Such remittance advices shall be submitted in a format agreed to by DESE.

C. Health carriers shall not deny, delay or reduce payment of First Steps claims based on their own determination of medical necessity or diagnosis, but shall in all cases defer to the services stated on the individual family service plan.

D. Health carriers shall not bundle claims for First Steps services.

E. For all adjustments on claim overpayments, such health carriers shall submit to DESE's designee in an electronic format consistent with federal administrative simplification standards, format and content adopted pursuant to the Health Insurance Portability and Accountability Act of 1996, remittance advices on a per claim adjustment reflecting the individual and cumulative claim adjustment. Such remittance advices shall be submitted in a format agreed to by DESE.

**4. Coordination of benefits requirements.**

A. All health benefit plans in effect during a calendar year or any portion thereof, shall be obligated under the provisions of section 376.1218, RSMo for reimbursement of the early intervention services provided for any covered child entitled to early intervention services as described in section 376.1218, RSMo up to the maximum annual reimbursable amount of three thousand dollars (\$3,000) with a nine thousand dollar (\$9,000)-lifetime maximum per child.

B. Failure of a parent or guardian to elect to assign a right of recovery or indemnification to the First Steps program shall not reduce claim payments to First Steps from secondary plans as defined in 20 CSR 400-2.030.

C. Notification from DESE that a primary plan, as defined in 20 CSR 400-2.030, has submitted a lump sum payment under paragraphs (4)(A)2. or 3. shall be sufficient notice to a secondary plan that such primary plan has fulfilled its payment obligations for First Steps services for that year.

(D) Health carriers shall accept and reimburse First Steps claims up to one (1) year after the date of service. Health carriers that otherwise require participating providers to submit claims in a shorter period of time than one (1) year shall waive this requirement for First Steps claims.

1. Health carriers that allow more than one (1) year for claims submission shall allow the same amount of time for First Steps claims submissions.

(E) There will be a presumption that the charges for First Steps services provided under section 376.1218, RSMo, and this rule, are being billed at an applicable Medicaid rate for such services or assistive technology devices.

(F) Health carriers electing a lump sum payment under paragraphs (4)(A)2. or 3. will be invoiced by DESE after January 1 of each year, with payments due no later than January 31 of that year. The lump sum payment shall be due no later than January 31 of each year regardless of the effective dates of the individual insurance plans.

(G) Health carriers that elect a lump sum payment under paragraphs (4)(A)2. or 3. and then fail to make such payment no later than January 31 of that year, shall be considered in violation of insurance law and be subjected to penalty, as allowed under the insurance laws of the state of Missouri.

(H) Lump sum payments under paragraphs (4)(A)2. and 3. shall not be credited against any health benefit plan lifetime maximum aggregates.

(I) For health carriers electing the lump sum payment option under paragraph (4)(A)2., the amount of direct written premium used to determine such health carriers' payment obligations for First Steps services will be the amount on record with the Missouri Department of Insurance on the most recently filed annual financial statement and any filed amendments as of September 1 of each year.

**(5) Prior Authorization.**

(A) Health carriers shall not require prior authorization for First Steps treatments and shall not deny, delay or reduce claim payments for failure to obtain prior authorization.

**(6) Transactions Affecting Affiliation of Health Carriers.**

(A) In the event of a transaction affecting affiliation of health carriers, the NAIC group code as of December 31 of the preceding year that payment for First Steps claims is due will determine affiliation of health carriers, and also, the total amount due to DESE if the applicable health carriers elect a lump sum payment option under paragraphs (4)(A)2. and 3.

**Title 20—DEPARTMENT OF INSURANCE  
Division 700—Licensing  
Chapter 6—Bail Bond Agents and Surety  
Recovery Agents**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Missouri Department of Insurance under sections 374.045, RSMo 2000 and 374.705, 374.710, 374.730 and 374.784, RSMo Supp. 2005, the director amends a rule as follows:

**20 CSR 700-6.100 Applications, Fees and Renewals—Bail Bond Agents, General Bail Bond Agents and Surety Recovery Agents is amended.**



A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 221–223). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director rescinds a rule as follows:

**22 CSR 10-2.010 Definitions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 1, 2006 (31 MoReg 224). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director adopts a rule as follows:

**22 CSR 10-2.010 Definitions is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 224–228). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director amends a rule as follows:

**22 CSR 10-2.020 Subscriber Agreement and General  
Membership Provisions is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2006 (31 MoReg 228–229). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director adopts a rule as follows:

**22 CSR 10-2.050 PPO and Co-Pay Benefit Provisions and  
Covered Charges is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 229–230). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director adopts a rule as follows:

**22 CSR 10-2.060 PPO and Co-Pay Plan Limitations is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 230–232). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director adopts a rule as follows:

**22 CSR 10-2.064 HMO and POS Summary of Medical  
Benefits is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 232). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director adopts a rule as follows:

**22 CSR 10-2.067 HMO and POS Limitations is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 232–234). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED HEALTH  
CARE PLAN  
Division 10—Health Care Plan  
Chapter 2—State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2000, the director adopts a rule as follows:

**22 CSR 10-2.090 Pharmacy Benefit Summary is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2006 (31 MoReg 234–236). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 150—State Board of Registration for the  
Healing Arts  
Chapter 3—Licensing of Physical Therapists and  
Physical Therapist Assistants**

**IN ADDITION**

The Department of Economic Development filed a proposed amendment to this rule on January 3, 2006 and it was published in the February 1, 2006 *Missouri Register* (31 MoReg 211-212) and the final order of rulemaking was published in this issue of the *Missouri Register* (31 MoReg 789). In the proposed amendment, sections (7) and (8) were renumbered (6) and (7). However, since sections (5) and (6) were deleted in the amendment, (7) and (8) should have been renumbered (5) and (6). They are published correctly here.

**4 CSR 150-3.150 Physical Therapist Assistant Temporary License**

(5) A Missouri permanently licensed physical therapist shall direct and supervise the temporarily licensed physical therapist assistant at all times, pursuant to section 334.650, RSMo and 4 CSR 150-3.090.

(6) Supervision shall be documented on forms provided by the board. The supervising physical therapist is required to report any inappropriate conduct or patient care to the board.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and  
Transportation Commission  
Chapter 25—Motor Carrier Operations**

**IN ADDITION**

**7 CSR 10-25.010 Skill Performance Evaluation Certificates for  
Commercial Drivers**

**PUBLIC NOTICE**

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

**SUMMARY:** This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates, from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce, because of impaired vision, or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

**DATES:** Comments must be received at the address stated below, on or before June 15, 2006.

**ADDRESSES:** You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- E-mail:** [Kathy.Hatfield@modot.mo.gov](mailto:Kathy.Hatfield@modot.mo.gov)
- Mail:** PO Box 893, Jefferson City, MO 65102-0893
- Hand Delivery:** 1320 Creek Trail Drive, Jefferson City, MO 65109
- Instructions:** All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED  
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- Docket:** For access to the department's file, to read background documents or comments received, 1320 Creek Trail Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., Monday through Friday, except state holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathy Hatfield, Motor Carrier Specialist, (573) 522-9001, MoDOT Motor Carrier Services Division, PO Box 893, Jefferson City, MO 65102-0893. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

**SUPPLEMENTARY INFORMATION:**

**Public Participation**

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**Background**

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, *Missouri Revised Statutes* (RSMo) Supp. 2005, MoDOT may issue a Skill Performance Evaluation Certificate, for not more than a two (2)-year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing a SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

**Qualifications of Applicants**

**Application # MP050121003**

Applicant's Name & Age: Ruben E. Cook, 71  
Relevant Physical Condition: Mr. Cook's best-corrected visual acuity is 20/20 Snellen, in his left eye. He has a prosthetic right eye and vision was lost due to accident in 1971.

Relevant Driving Experience: Mr. Cook has driven over 20 years with the past 13 years through self-employment. He has driven straight trucks, and dump trucks as a private hauling contractor. He currently has a Class A CDL. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in February 2006, his optometrist certified, "In my medical opinion, Mr. Cook's visual deficiency is stable and has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle, and that his condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: No accidents or violations within the past 3 years.

**Request for Comments**

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: April 17, 2006

*Jan Skouby, Motor Carrier Services Director, Missouri Department of Transportation.*



## Construction Transient Employers

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
9 MILE BORING & TRENCHING INC	6436 VISTA DR	SHAWNEE	KS	66218
A FISCHER BUILDERS INC	814 OHIO ST	QUINCY	IL	62301
AC LEADBETTER & SON INC	110 ARCO DR	TOLEDO	OH	43615
ACADEMY ROOFING & SHEET METAL CO	6361 NE 14TH ST	DES MOINES	IA	50313
ACCEPTANCE CAPITAL MORTGAGE CORPORATION	15812 E INDIANA AVE	SPOKANE VALLEY	WA	99206
ACI MECHANICAL CORPORATION	3116 SOUTH DUFF AVE	AMES	IA	50010
ACI MECHANICAL INC	3116 S DUFF AVE	AMES	IA	50010
ADDISON CONSTRUCTION CO	1526 HORSE CREEK RD	CHEYENNE	WY	82009
ADECCO USA INC	175 BROAD HOLLOW RD	MELVILLE	NY	11747
ADUDELLE ROOFING & SHEET METAL INC	14220 S MERIDIAN	OKLAHOMA	OK	73173
ADVANCED PROTECTIVE COATING INC	2530 BAYARD ST	KANSAS CITY	KS	66105
ADVANTAGE PROFESSIONAL OF PHOENIX LLC	1995 WEHRLE DR	WILLIAMSVILLE	NY	14221
AEI INC	735 GLASER PKWY	AKORN	OH	44306
AERIAL SOLUTIONS INC	7074 RAMSEY FORD ROAD	TABOR CITY	NC	28463
AIDE INC	2510 WADE HAMPTON BLVD	GREENVILLE	SC	29606
AKERMAN CONSTRUCTION CO INC	2915 SH 74 SOUTH	PURCELL	OK	73080
ALLIANCE ENTERPRISES INC	5421 PENINSULA DR S E	OLYMPIA	WA	98513
ALLIANCE INTEGRATED SYSTEMS INC	1500 STUDEMONT	HOUSTON	TX	77007
ALLIED STEEL CONSTRUCTION CO LLC	2211 NW FIRST TERRACE	OKLAHOMA CITY	OK	73107
ALLSTATE SPECIALTY CONSTRUCTION INC	32700 W 255TH ST	PAOLA	KS	66071
ALVAREZ ENVIRONMENTAL LLC	4631 INVERNESS DR	POST FALLS	ID	83854
AMERICAN CIVIL CONSTRUCTORS INC	4901 S WINDERMERE ST	LITTLETON	CO	80120
AMERICAN DIGITAL SYSTEMS/FIBRACOM	1725 W RENO AVE	BROKEN ARROW	OK	74012
AMERICAN MASONRY CO	1016 W EUCLID	PITTSBURG	KS	66762
AMERICASDOCTOR.COM COORDINATORS SERVICES INC	3315 S 23RD STR 108	TACOMA	WA	98405
ANDERSEN TRENCHING & EXCAVATING INC	17263 SUMAC RD	HONEY CREEK	IA	51542
ANTIGO CONSTRUCTION INC	2520 N CLERMONT ST	ANTIGO	WI	54409
APPLIKON INC	1165 CHESS DR STE G	FOSTER CITY	CA	94404
ARCHITECTURAL GLAZING PROFESSIONALS	11655 CLARE RD	OLATHE	KS	66061
ARGUSS COMMUNICATIONS GROUP INC	DOVER RD	EPSOM	NH	03234
ARKANSAS CONTRACTORS	1308 CHURCH	BARLING	AR	72952
ARNOLD & MADSON INC	1995 CENTURY AVE SO	WOODBURY	MN	55125
ARR ROOFING LLC	8909 WASHINGTON ST	OMAHA	NE	68127

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
ARROWHEAD SERVICES INC	12920 METCALF STE 150	OVERLAND PARK	KS	66213
ASBESTOS REMOVAL COMPANY	6361 NE 14TH STREET	DES MOINES	IA	50313
ASPHALT STONE COMPANY	520 N WEBSTER	JACKSONVILLE	IL	62650
AUGERS UNLIMITED INC	11933 KAW DRIVE	KANSAS CITY	KS	66111
AUREUS RADIOLOGY LLC	11825 Q ST	OMAHA	NE	68137
AUTRY CONSTRUCTION INC	140 E 3RD	BAXTER SPRINGS	KS	66713
B & B CONTRACTORS INC	13745 SEMINOLE DR	CHINO	CA	91710
B & B PERMASTORE INC	6750 W 75TH STE 1A	OVERLAND PARK	KS	66204
B & D ELECTRIC INC	P O BOX 43	STAMPS	AR	71860
B & K MANAGEMENT INC	545 J ST	LINCOLN	NE	68508
BALL CONSTRUCTION INC	13922 WEST 108TH ST	LENEXA	KS	66215
BARNESCO INC	2002 CEDAR CREST	ARKANSAS CITY	KS	67005
BARROWS EXCAVATION INC	49 COUNTY RD #404	BERRYVILLE	AR	72616
BARTLETT NUCLEAR INC	60 INDUSTRIAL PARK RD	PLYMOUTH	MA	02360
BAXTER KENWORTHY ELECTRIC INC	4600 S 76TH CIRCLE	OMAHA	NE	68127
BAZIN EXCAVATING INC	20160 W 191ST	SPRINGHILL	KS	66083
BE & K ENGINEERING COMPANY	2000 INTERNATIONAL PK DR	BIRMINGHAM	AL	35243
BEL CLAIR ELECTRIC INC	912 S BELT W	BELLEVILLE	IL	62220
BENCHMARK INC	6065 HUNTINGTON CT NE	CEDAR RAPIDS	IA	52402
BEW CONSTRUCTION CO INC	1319 MAIN ST	WOODWARD	OK	73801
BILL DAVIS ROOFING LC	628 VERMONT	LAWRENCE	KS	66044
BISON ELECTRIC INC	12037 E PINE ST	TULSA	OK	74116
BIVOUAC ENGINEERING & SERVICE CO LLC	588 MEADOW LANE	MARION	OH	43302
BJ ERECTION CORPORATION	16626 MILES AVE	CLEVELAND	OH	44128
BLAHNIK CONSTRUCTION CO	150 50TH AVE DR SW	CEDAR RAPIDS	IA	52404
BLAZE MECHANICAL INC	15755 S 169 HWY STE E	OLATHE	KS	66062
BLICKS CONSTRUCTION CO INC	LOCK & DAM RD	QUINCY	IL	62301
BONNEVILLE CONSTRUCTION CO INC	5005 E CAREY AVE	LAS VEGAS	NV	89115
BRADEN CONSTRUCTION SERVICES INC	5110 N MINGO RD	TULSA	OK	74117
BRB CONTRACTORS INC	400 W CURTIS	TOPEKA	KS	66608
BROWNING WELDING SERVICE INC	163 SHAW BRIDGE ROAD	GREENBRIER	AR	72058
BRUCE TRUCKING AND EXCAVATING INC	4401 HWY 162	GRANITE CITY	IL	62040
BRYAN POWELL DRYWALL INC	4330 PARKER LN	TEXARKANA	AR	71854
BUILDINGS INC	235 SOUTH 40TH	SPRINGDALE	AR	72765
BUILT WELL CONSTRUCTION CO	MAIN ST HWY 279 S	HIWASSE	AR	72739
C & C CONTRACTING INC	222 SOUTH SECOND ST	ORLEANS	IN	47452
C IBER & SONS INC	3212 N MAIN	EAST PEORIA	IL	61611
CARNEY DEMOLITION	303 S HALSTED	CHICAGO	IL	60661
CARTER MOORE INC	1865 E MAIN ST STE F	DUNCAN	SC	29334
CAS CONSTRUCTION INC	501 NE BURGESS	TOPEKA	KS	66608
CASE FOUNDATION CO	1325 W LAKE ST	ROSELLE	IL	60172
CASHATT & SONS CORP	BOX 74	RED OAK	IA	51566

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CASYSYSTEMS INTERNATIONAL INC	8300 COLESVILLE RD 700	SILVER SPRING	MD	20910
CBS CONSTRUCTORS	204 E 1ST	MCCOOK	NE	69001
CCC GROUP INC	5797 DIETRICH RD	SAN ANTONIO	TX	78219
CD SMITH CONSTRUCTION INC	889 EAST JOHNSON ST	FOND DU LAC	WI	54935
CDK SKANSKA INC	800 S HUTTON RD	FARMINGTON	NM	87401
CELLXION WIRELESS SERVICES LLC	5031 HAZEL JONES RD	BOSSIER CITY	LA	71111
CENTRAL FOUNDATION INC	915 MARION RD S	CENTRAL CITY	IA	52214
CENTRAL ILLINOIS TILE CO	3302 N MATTIS AVE	CHAMPAIGN	IL	61821
CENTRAL SEAL COMPANY	P O BOX 490	DANVILLE	KY	40422
CENTRAL STATES CONTRACTING SERVICES	610 S 78TH ST	KANSAS CITY	KS	66111
CENTURY BUILDERS INC	11250 CHARLES RD	HOUSTON	TX	77041
CENTURY MECHANICAL CONTRACTORS INC	15480 S 169 HWY	OLATHE	KS	66051
CHAMPION EXPOSITION SERVICES	139 CAMPANELLI DRIVE	MIDDLEBORO	MA	02346
CHANCE CONSTRUCTION CO	ITALY & BARBER ST	HEMPHILL	TX	75948
CHESTER PHILLIPS CONSTRUCTION COMPANY	1501 N UNIVERSITY STE 740	LITTLE ROCK	AR	72207
CHRIS GEORGE HOMES INC	2111 E SANTA FE #112	OLATHE	KS	66062
CHRISTIE DIGITAL SYSTEMS USA INC	10550 CAMDEN DRIVE	CYPRESS	CA	90630
CLIFFORD LEE & ASSOCIATES	292 MELVIN HARRIS RD	MANCHESTER	GA	31816
COAST TO COAST BUILDERS INC	750 E FUNSTON	WICHITA	KS	67211
COASTAL GUNITE CONSTRUCTION CO	16 WASHINGTON ST	CAMBRIDGE	MD	21613
COLE RAYWID & BRAVERMAN LLP	1919 PENNSYLVANIA AVE NW	WASHINGTON	DC	20006
COLLECTOR WELLS INTERNATIONAL INC	6360 HUNTLEY RD	COLUMBUS	OH	43229
COMMERCIAL CONTRACTING CO OF SAN AN	5797 DIETRICH RD	SAN ANTONIO	TX	78219
COMMERCIAL CONTRACTORS INC	729 LINCOLN AVE	HOLLAND	MI	49423
COMO TECH INSPECTIONS INC	40 DEEP CREEK RD	MANHATTAN	KS	66502
CONLEY SPRINKLER INC	822 MAIN	PLEASANTON	KS	66075
CONSTRUCTION MANAGEMENT INC	108 JACKMAN ST	GEORGETOWN	MA	01833
CONSTRUCTORS INC	6225 CHOCTAW DR	BATON ROUGE	LA	70805
CONTRACT DEWATERING SERVICES INC	5820 W RIVERSIDE DR	SARANAC	MI	48881
CONTROL INSTALLATIONS OF IOWA INC	6200 THORNTON AVE STE 190	DES MOINES	IA	50321
COOPERS STEEL FABRICATORS	503 N HILLCREST DR	SHELBYVILLE	TN	37162
CORNERSTONE COMMERCIAL CONTRACTORS	1260 JERICO	CORNING	IA	50841
CORONA POWER SERVICES INC	5220 MINOLA DR	LITHONIA	GA	30038
CORONADO INC	1835 WALL ST	SALINA	KS	67401
COST OF WISCONSIN INC	4201 HWY P	JACKSON	WI	53037
COWARTS CONSTRUCTION COMPANY INC	223 AIRPORT RD	SALEM	AR	72576
CRANE CONSTRUCTION COMPANY LLC	343 WAINWRIGHT DR	NORTHBROOK	IL	60062
CREEK ELECTRIC INC	2811 W PAWNEE ST	WICHITA	KS	67213
CRONISTER & COMPANY INC	FORBES FIELD BL 281 UNT E	TOPEKA	KS	66619
CROWN CORR INC	7100 W 21ST AVE	GARY	IN	46406
CUST O FAB FIELD SERVICE LLC	1900 N 161ST E AVE	TULSA	OK	74116
CUSTOMER CARE SOLUTIONS	1 IRVINGTON CTR 700 KING	ROCKVILLE	MD	20850

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CUTTING EDGE EXCAVATING & TRUCKING INC	PO BOX 597	LOUISBURG	KS	66053
D & D PIPELINE CONSTRUCTION CO INC	4700 W HWY 117	SAPULPA	OK	74066
DALRYMPLE & CO	3675 S NOLAND RD STE 102	INDEPENDENCE	MO	64055
DANNYS CONSTRUCTION CO INCORPORATED	1066 WEST THIRD AVENUE	SHAKOPEE	MN	55379
DATAFINDERS CONSULTING GROUP THE LLC	200 OLD PALISADE RD	FORT LEE	NJ	07024
DAVE OSBORNE CONSTRUCTION CONTRACTI	15600 28TH AVE N	PLYMOUTH	MN	55447
DAVID A NICE BUILDERS INC	4571 WARE CREEK ROAD	WILLIAMSBURG	VA	23188
DAVIS ELECTRICAL CONSTRUCTORS INC	429 N MAIN ST	GREENVILLE	SC	29602
DCG PETERSON BROTHERS COMPANY	5005 S HWY 71	SIOUX RAPIDS	IA	50585
DDD COMPANY	8000 CORPORATE DR STE 100	LANDOVER	MD	20785
DELCO ELECTRIC INC	7615 N CLASSEN BLVD	OKLAHOMA CITY	OK	73116
DELPHI AUTOMOTIVE SYSTEMS HUMAN RESOURCES LLC	P O BOX 62410	PHOENIX	AZ	85082
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST	QUINCY	IL	62301
DIG AMERICA UTILITY CONTRACTING INC	606 25TH AVE SO STE 202	ST CLOUD	MN	56301
DIMENSIONAL TECHNOLOGY INC	6717 LINDEN LN	HUNTLEY	IL	60142
DIVINE INC	2310 REFUGEE RD	COLUMBUS	OH	43207
DL SMITH ELECTRICAL CONSTRUCTION INC	1405 SW 41ST ST	TOPEKA	KS	66609
DOBSON DAVIS COMPANY	8521 RICHARDS RD	LENEXA	KS	66215
DOME CORPORATION OF NORTH AMERICA	5450 EAST ST	SAGINAW	MI	48601
DON BELL HOMES INC	11599 N RIDGEVIEW	OLATHE	KS	66061
DOSTER CONSTRUCTION CO INC	2100 INTERNATIONAL PARK D	BIRMINGHAM	AL	35243
DOUBLE O MASONRY INC	722 S 260TH ST	PITTSBURG	KS	66762
DUSTROL INC	GEN DEL	EL DORADO	KS	67042
DW PROEHL CONSTRUCTION INC	818 N HELEN AVE	SIOUX FALLS	SD	57104
E ROBERTS ALLEY & ASSOCIATES INC	300 10TH AVE S	NASHVILLE	TN	37203
E80 PLUS CONSTRUCTORS LLC	600 BASSETT ST	DEFOREST	WI	53532
ECONOMY ELECTRICAL CONTRACTORS	101 CENTURY 21 DR #204	JACKSONVILLE	FL	32216
EDWARD KRAEMER & SONS INC	ONE PLAINVIEW RD	PLAIN	WI	53577
ELECTRICAL CONTROLS & SYSTEMS INC	P O BOX 100816	BIRMINGHAM	AL	35210
ELECTRICAL LINE SERVICES INC	14200 S TULSA DR	OKLAHOMA CITY	OK	73170
ELLIOTT ELECTRICAL INC	P O BOX 1039	BENTON	AR	72015
EMCO CHEMICAL DISTRIBUTORS INC	2100 COMMONWEALTH AVE	NORTH CHICAGO	IL	60064
EMPLOYEE RESOURCE ADMINISTRATION LP	12400 COIT RD #1030	DALLAS	TX	75251
ENERGY DELIVERY SERVICES INC	3909 W FIFTH ST	CHEYENNE	WY	82003
ENERGY SYSTEMS GROUP LLC	4655 ROSEBUD LANE	NEWBURGH	IN	47630
EQUUS METALS	1415 S JOPLIN AVE	TULSA	OK	74112
ERVIN CABLE CONSTRUCTION INC	260 N LINCOLN BLVD E	SHAWNEETOWN	IL	62984
EVCO NATIONAL INC	339 OLD ST LOUIS RD	WOOD RIVER	IL	62095
EXXEL PACIFIC INC	323A TELEGRAPH RD	BELLINGHAM	WA	98226
FABCON INCORPORATED	6111 WEST HIGHWAY 13	SAVAGE	MN	55378
FABCON LLC	3400 JACKSON PIKE	GROVE CITY	OH	43123



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FALCON ELECTRIC INC	100 NORTH FIRST ST	CLARKSBURG	WV	26301
FARABEE MECHANICAL INC	P O BOX 1748	HICKMAN	NE	68372
FAYETTEVILLE PLUMBING & HEATING CO INC	P O BOX 1061	FAYETTEVILLE	AR	72702
FEDERAL FIRE PROTECTION INC	805 SECRETARY DR STE A	ARLINGTON	TX	76015
FJW GROUP INC	905 W MITCHELL	ARLINGTON	TX	76013
FOLTZ CONSTRUCTION INC	BOX 38	PATOKA	IL	62875
FOLTZ WELDING PIPELINE MAINTENANCE	501 E CLINTON AVE	PATOKA	IL	62875
FORD CONTRACTING CORP	1307 E COURT ST	DYERSBURG	TN	38024
FOUNDATION FENCE INC	320 SOUTHLAND RD	BURNET	TX	78611
FREESSEN INC	316 S PEARL	BLUFFS	IL	62621
GALACTIC TECHNOLOGIES INC	400 N LOOP 1604 E STE 210	SAN ANTONIO	TX	78232
GAMMA CONSTRUCTION COMPANY	2808 JOANEL	HOUSTON	TX	77027
GARY SANDERS MASONRY	109 AVE F	WEST POINT	IA	52656
GEISSLER ROOFING CO INC	612 S 3RD ST	BELLEVILLE	IL	62220
GENE FRITZEL CONSTRUCTION COMPANY I	643 MASSACHUSETTS STE 300	LAWRENCE	KS	66044
GENE FRITZEL CONSTRUCTION SERVICES	628 VERMONT	LAWRENCE	KS	66044
GEOPIER FOUNDATION CO MIDWEST	6336 HICKMAN STE 203	DES MOINES	IA	50322
GFV CONSTRUCTION CO	4535 MEADOWVIEW DR	LAKELAND	FL	33810
GLEESON CONSTRUCTORS INC	2015 E 7TH ST	SIOUX CITY	IA	51105
GLENN H JOHNSON CONSTRUCTION CO	2521 GROSS POINT RD	EVANSTON	IL	60201
GOERLICH ROOFING INC	4400 HARRISON	QUINCY	IL	62301
GORDONS ENHANCED TECHNOLOGY MARKETING INC	4500 RATLIFF LN #108	ADDISON	TX	75001
GRABER AGRI-BUILDERS INC	CO RD 450 E BOX 436A	MONTGOMERY	IN	47558
GRAHAM CONSTRUCTION COMPANY	500 LOCUST ST	DES MOINES	IA	50309
GRAZZINI BROS COMPANY	620 16TH AVE S	MINNEAPOLIS	MN	55454
GUS CONST CO INC	606 ANTIQUE COUNTRY DR	CASEY	IA	50048
H & H SYSTEMS & DESIGN INC	130 EAST MAIN ST	NEW ALBANY	IN	47150
H & M CONSTRUCTION CO INC	50 SECURITY DR	JACKSON	TN	38305
HARBERT YEARGIN INC	105 EDINBURGH CR	GREENVILLE	SC	29607
HARDAWAY CONSTRUCTION CORP OF TENNE	615 MAIN STREET	NASHVILLE	TN	37206
HARMAN & SON CONSTRUCTION INC	1810 B EIGHTH AVE	FORT WORTH	TX	76110
HARNESS ROOFING INC	P O BOX 1382	HARRISON	AR	72601
HART PAINTING	2555 SW 50	OKLAHOMA CITY	OK	73119
HASTCO INC	813 GRAHAM	EMPORIA	KS	66801
HC BECK LTD	1820 MARKET ST FL 3	ST LOUIS	MO	63103
HEALTHLINE INC	2600 N CENTRAL AVE #1700	PHOENIX	AZ	85004
HEBER E COSTELLO INC	609 COSTELLO ROAD	OAK GROVE	LA	71263
HEIDELBERG ENGINEERING INC	1499 POINSETTIA AVE #160	VISTA	CA	92081
HENDERSON ENGINEERS INC	8325 LENEXA DR STE 400	LENEXA	KS	66214
HENNING CONSTRUCTION COMPANY	5870 MERLE HAY RD	JOHNSTON	IA	50131
HERITAGE HOUSING DEVELOPMENT INC	16133 VENTURA BLVD #965	ENCINO	CA	91436

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HERMAN STEWART CONSTRUCTION & DEVEL	4550 FORBES BLVD	LANHAM	MD	20706
HINRICHS GROUP INC THE	141 MARKET PL DR STE 105	FAIRVIEW HEIGHTS	IL	62208
HOFFMANN INC	6001 49TH ST S	MUSCATINE	IA	52761
HOGUE HORN & PASHMAN INC	922 MISSOURI	LAWRENCE	KS	66044
HOLIAN ASBSTS RMVL & ENCPSTN CORP	7504 MEYER RD	SPRING GROVE	IL	60081
HOLLIS ROOFING INC	P O BOX 2229	COLUMBUS	MS	39704
HOOPER CORPORATION	P O BOX 7455	MADISON	WI	53707
HORIZON GENERAL CONTRACTORS INC	7315 W ELIZABETH LN	FT WORTH	TX	76116
HORIZON GROUP INC	1325 N E BOND ST	PEORIA	IL	61603
HORIZONTAL BORING & TUNNELING CO	505 S RIVER AVE	EXETER	NE	68351
HOSPITALITY BUILDERS INC	4222 HWY 52	META	MO	65058
HUFF SEALING CORPORATION	HWY 15E	ALBION	IL	62806
HUTTON CONTRACTING CO INC	HWY 50	LINN	MO	65051
HUXTABLE KC SERVICE INC	16210 W 108TH	LENEXA	KS	66219
HY VEE WEITZ CONSTRUCTION LC	1501 50TH ST BLDG 1 #325	WEST DES MOINES	IA	50266
I & I CONSTRUCTION INC	21050 N BRADY ST STE A	DAVENPORT	IA	52804
IBERVILLE INSULATIONS LLC	11637 SUN BELT CT	BATON ROUGE	LA	70809
ILLINI MECHANICAL INC	1024 LOWRY	PITTSFIELD	IL	62363
INDUSTRIAL MAINTENANCE CONTRACTORS INC	2301 GARDEN CITY HWY	MIDLAND	TX	79701
INDUSTRIAL POWER & PROCESS CORP	P O BOX 38995	GREENSBORO	NC	27438
INDUSTRIAL PROCESS TECHNOLOGY INC	2213 7TH AVE N	FARGO	ND	58108
INDUSTRY SERVICES CO INC	5550 TODD ACRES DR	MOBILE	AL	36619
INGRAM CONSTRUCTION COMPANY INC OF	173 HOY RD	MADISON	MS	39110
INSTITUTE OF NUCLEAR POWER OPERATIONS	700 GALLERIA PKWY	ATLANTA	GA	30339
INTEC SERVICES INC	454 LINK LN	FT COLLINS	CO	80522
INTERSTATES CONSTRUCTION SERVICES INCORPORATED	1520 INDUSTRIAL PARK	SIOUX CENTER	IA	51250
INTL BROTHERHOOD OF ELECTRICAL WORK	106 N MONROE ST	WEST FRANKFORT	IL	62896
IRBY CONSTRUCTION CO	817 S STATE ST	JACKSON	MS	39201
IVEY MECHANICAL CO A PARTNERSHIP	514 NORTH WELLS ST	KUSCIUSKO	MS	39090
IVF LABS LLC	2712 E SWASONT WAY	SALT LAKE CITY	UT	84117
J & J CONSTRUCTION & SUPPLY INC	1136 W KANSAS	MCPHERSON	KS	67460
J & J MAINTENANCE INC	3755 CAPITAL OF TX HWY S	AUSTIN	TX	78704
JA FIELDEN CO INC	530 W FIFTH AVE	KNOXVILLE	TN	37917
JD FRANKS INC	1602 S BELTINE ROAD	DALLAS	TX	75253
JEN MECHANICAL INC	803 HOPP HOLLOW DR	ALTON	IL	62002
JESCO INC	2020 MCCULLOUGH BLVD	TUPELO	MS	38801
JF BRENNAN CO INC	820 BAINBRIDGE ST	LA CROSSE	WI	54603
JM MECHANICAL LLC	3685 NORTH HWY 91	HYDE PARK	UT	84318
JMC CONSTRUCTION INC	9893 UNIVERSITY DR STE 119	MCKINNEY	TX	75070
JOHANSEN DRAINAGE & TILE	RT 1 BOX 152	RULO	NE	68431
JOHN A PAPALAS & CO	1187 EMPIRE	LINCOLN PARK	MI	48146

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JOHN E GREEN COMPANY	220 VICTOR AVE	HIGHLAND PARK	MI	48203
JOHN T JONES CONSTRUCTION CO	2213 7TH AVE NORTH	FARGO	ND	58108
JOHNSON INDUSTRIAL SERVICES INC	200 BENTLEY CIR	SHELBY	AL	35143
JOLLEY CONSTRUCTION COMPANY	6148 LEE HWY STE 200	CHATTANOOGA	TN	37421
JOMAX CONSTRUCTION COMPANY INC	S 281 HWY	GREAT BEND	KS	67530
JONES HYDROBLAST INC	P O BOX 309	ROYALTON	IL	62983
JULIAN CONSTRUCTION COMPANY	15521 W 110TH ST	LENEXA	KS	66219
KANSAS BUILDING SYSTEMS INC	1701 SW 41ST	TOPEKA	KS	66609
KASBOHM CUSTOM DRILLING INC	11404 OAKTON RD	SAVANNA	IL	61074
KEARNEY & SON CONSTRUCTION INC	2500 NORTH 7TH ST	LAWRENCE	KS	66044
KEARNEY ELECTRIC INC	3609 E SUPERIOR AVE	PHOENIX	AZ	85040
KEELEY & SONS INC	5 LOISEL VILLAGE SHOP CTR	EAST ST LOUIS	IL	62203
KEITH AUSTIN	3001 WEDINGTON DR #106	FAYETTEVILLE	AR	72701
KELLEY DEWATERING & CONSTRUCTION CO	5175 CLAY AVENUE SW	WYOMING	MI	49548
KENJURA TILE INC	BOX 158	BRENNHAM	TX	77834
KEOKUK CONTRACTORS INC	853 JOHNSON ST RD	KEOKUK	IA	52632
KESSLER CONSTRUCTION INC	13402 W 92ND ST	LENEXA	KS	66215
KG MOATS & SONS	9515 US HWY 63	EMMETT	KS	66422
KGL ASSOCIATES INC	759 ADAMS ST	DENVER	CO	80206
KILIAN CORPORATION THE	608 S INDEPENDENCE	MASCOUTAH	IL	62258
KINLEY CONSTRUCTION COMPANY	201 N UNION ST BNK RM 502	OLEAN	NY	14760
KINLEY CONSTRUCTION GROUP LP	4025 WOODLAND PK BLVD 410	ARLINGTON	TX	76013
KLINE CONSTRUCTION CORPORATION	9385 HAMILTON DR	MENTOR	OH	44060
KNICKERBOCKER CONSTRUCTION INC	4823 LAKEWOOD DR	NORWALK	IA	50211
KNIGHT TRENCHING & EXCAVATING INC	14168 SANTA FE TRAIL DR	LENEXA	KS	66215
KOSS CONSTRUCTION CO	4090 WESTOWN PKWY STE B	W DES MOINES	IA	50266
KUHLMAN REFRIGERATION INC	N56W16865 RIDGEWOOD 100	MENOMONEE FALLS	WI	53051
KURISU INTERNATIONAL INC	11125 SW BARBUR BL	PORTLAND	OR	97219
L & L INSULATION & SUPPLY CO	3305 SE DELAWARE AVE	ANKENY	IA	50021
L LYON DISTRIBUTING INC	5555 ST LOUIS MILLS BLVD	HAZELWOOD (X2)	MO	63042
LAKEVIEW CONSTRUCTION OF WISCONSIN	10505 CORPORATE DR #200	PLEASANT PRAIRI	WI	53158
LARRY COX CONSTRUCTION	50 FORT COX RD	HEBER SPRINGS	AR	72543
LAW CO INC	345 RIVERVIEW ST	WICHITA	KS	67203
LEMAR CONSTRUCTION	2829 BRADY ST	DAVENPORT	IA	52803
LH SOWLES CO	2813 BRYANT AVE S	MINNEAPOLIS	MN	55408
LIMBAUGH CONSTRUCTION CO INC	4186 HWY 162	GRANITE CITY	IL	62040
LIN R ROGERS ELECTRICAL CONTRACTORS	2050 MARCONI DR STE 200	ALPHARETTA	GA	30005
LINAWEAVER CONSTRUCTION INC	719 GILMAN RD	LANSING	KS	66043
LITTON ENTERPRISES INC	600 HALFWAY RD	MARION	IL	62959
LONGAN CONSTRUCTION COMPANY	1635 US HWY 59 N	GROVE	OK	74344
LPR CONSTRUCTION CO	1171 DES MOINES AVE	LOVELAND	CO	80537
LUNDA CONSTRUCTION CO	620 GEBHARDT RD	BLACK RIVER FAL	WI	54615

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MAGUIRE IRON INC	300 W WALNUT BOX 1446	SIOUX FALLS	SD	57101
MANSON AMERICA LLC	100 NORTH PINE STREET	PITTSBURGH	KS	66762
MARRS ELECTRIC INC OF ARKANSAS	701 KAWNEER DR	SPRINGDALE	AR	72764
MCBRIDE ELECTRIC INC	3215 E 9TH N	WICHITA	KS	67208
MCCARTIN MECHANICAL CONTRACTOR INC	2999 PARKWAY DR	DECATUR	IL	62526
MCKITTRICK CONSTRUCTION	13283 BLUEJACKET	OVERLAND PARK	KS	66225
MCMASTER CONSTRUCTION INC	138 NE 45TH	OKLAHOMA CITY	OK	73105
MCPHERSON WRECKING INC	2333 BARTON RD	GRANTVILLE	KS	66429
MDS BUILDERS INC	5455 N FEDERAL HWY	BOCA RATON	FL	33487
MEADOWS CONSTRUCTION CO INC	1014 FRONT ST	TONGANOXIE	KS	66086
MERIT GENERAL CONTRACTORS INC	950 KANSAS AVE	KANSAS CITY	KS	66105
METROPOLITAN PAVEMENT SPECIALISTS LLC	14012 GILES RD	OMAHA	NE	68138
MEYERS TURF FARMS INC	19055 METCALF	STILWELL	KS	66085
MICHAEL CONSTRUCTION CO INC	SECONDARY RT 79 BOX 143	DRY BRANCH	WV	25061
MICRO PAVERS INC	127 FAUBER RD	E PEORIA	IL	61611
MID AMERICA ROOFING CONSTRUCTION &	1035 N 69 HWY	FRONTENAC	KS	66763
MID STATES ELECTRIC CO INC	P O BOX 156	S SIOUX CITY	NE	68776
MIDWEST CONSTRUCTION SYSTEMS INC	100 MAIN ST STE 504	LITTLE ROCK	AR	72201
MIDWEST PUMP & EQUIPMENT CO	2300 S 7TH ST	LINCOLN	NE	68502
MILENDER WHITE CONSTRUCTION CO	1503 BIG PINEY RD # 1018	FORT LEONARD WOOD	MO	65473
MILLENNIUM BROKERAGE GROUP	611 COMMERCE ST S-2606	NASHVILLE	TN	37203
MILLER INSULATION CO INC	US HWY 65 & MO HWY 127	MALTA BEND	MO	65339
MILLER THE DRILLER	5125 E UNIVERSITY	DES MOINES	IA	50317
MILLERS PRO CUT	6410 W 72ND TERR	OVERLAND PARK	KS	66204
MILLS ELECTRICAL CONTRACTORS	2535 WALNUT HILL LN	DALLAS	TX	75229
MISSION TO THE AMERICAS	2530 WASHINGTON ST	DENVER	CO	80205
MJM SERVICES INC	207 N 48TH ST	BELLEVILLE	IL	62223
MORRISSEY CONTRACTING CO	705 SOUTHMOOR PL	GODFREY	IL	62035
MOUNTAIN MECHANICAL CONTRACTORS INC	903 S SCHOOL	FAYETTEVILLE	AR	72701
MOWERY BACKHOE & TRENCHER SERVICE	25374 TONGANOXIE RD	LEAVENWORTH	KS	66048
MULANAX ELECTRIC INC	404 W DORCUS ST	ROLAND	OK	74954
MULTIMAX INC	1441 MCCORMICK DR	LARGO	MD	20774
MURPHY & SONS ROOFING	1010 NORTH 54TH ST	KANSAS CITY	KS	66102
MUSE EXCAVATION & CONSTRUCTION CO	504 S 8TH ST	ELWOOD	KS	66024
NATIONAL ABATEMENT CORPORATION	3080 N CENTER RD	FLINT	MI	48519
NATIONAL CONSTRUCTION SERVICES INC	520 LANCASTER AVE	FRAZER	PA	19355
NEBRASKA MIDWEST CONSTRUCTION COMPA	406 N 22ND ST	NEBRASKA CITY	NE	68410
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN	OKLAHOMA CITY	OK	73127
NES TRAFFIC SAFETY LP	8770 W BRYN MAWR 4TH FLR	CHICAGO	IL	60631
NEW DIMENSION INC	631 E BIG BEAVER #109	TROY	MI	48083
NHC CONSTRUCTION LLC	5960 DEARBORN STE 15	MISSION	KS	66202
NO FAULT INDUSTRIES INC	15556 PERKINS RD	BATON ROUGE	LA	70810



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NORTH COAST 88 INC	170 EAST MAIN ST	NORWALK	OH	44857
NORTH MISSISSIPPI CONVEYOR COMPANY INC	HWY 7S LAFAYETTE CO RD370	OXFORD	MS	38655
NORTHLAND CONTRACTING INC	HIGHWAY 2 EAST	SHEVLIN	MN	56676
NORTHWEST ENERGY SYSTEMS INC	315 S GREGG ST	FAYETTEVILLE	AR	72701
NUTRIJECT SYSTEMS INC	515 5TH ST	HUDSON	IA	50643
ODONNELL & SONS CONSTRUCTION CO INC	15301 BROADMOOR ST	OVERLAND PARK	KS	66223
OFALLON ELECTRIC COMPANY	P O BOX 488	OFALLON	IL	62269
OMEGA INSURANCE SERVICES INC	100 1ST AVE SOUTH STE 530	ST PETERSBURG	FL	33701
PAIGE TECHNOLOGIES LLC	5305 PIN OAK LAND	SEDALIA	MO	65301
PCL CONSTRUCTION SERVICES INC	2000 S COLORADO BLVD 2500	DENVER	CO	80222
PETERSON CONSTRUCTION	1929 W 2ND ST	WEBSTER CITY	IA	50595
PETERSON CONTRACTORS INC	104 BLACKHAWK ST	REINBECK	IA	50669
PETTUS PLUMBING & PIPING INC	P O BOX 3237	MUSCLE SHOALS	AL	35662
PHARMANET INC	504 CARNEGIE CENTER	PRINCETON	NJ	08540
PHILLIPS & JORDAN INC	6621 WILBANKS RD	KNOXVILLE	TN	37912
PIKE ELECTRIC INC	100 PIKE WAY	MOUNT AIRY	NC	27030
PINNACLE CONSTRUCTION INC	203 N CHESTNUT ST	GLENWOOD	IA	51534
PIONEER GROUP INC	8600 JUNIPER LANE	PRAIRIE VILLAGE	KS	66207
PITTSBURG TANK & TOWER CO INC	515 PENNEL ST	HENDERSON	KY	42420
PLOWMAN CONSTRUCTION COMPANY INC	905 E PARK ST	OLATHE	KS	66061
PLUM RHINO CONSULTING LLC	1010 HUNTCLIFF STE 1350	ATLANTA	GA	30350
PRECAST ERECTORS INC	3500 VALLEY VISTA DR	HURST	TX	76053
PRIMARY RESIDENTIAL MORTGAGE INC	829 E CAVENDISH CIRCLE	SANDY	UT	84094
PROGRESSIVE CONTRACTORS INC	14123 42ND ST NE	ST MICHAEL	MN	55376
PULTE HOMES OF GREATER KANSAS CITY	8700 STATE LINE RD #309	LEAWOOD	KS	66206
PULTE PAYROLL CORPORATION	100 BLOOMFIELD HILLS #300	BLOOMFIELD HILLS	MI	48034
PYRAMID CONTRACTORS INC	891 W IRONWOOD RD	OLATHE	KS	66061
PYRAMID ELECTRICAL CONTRACTORS INC	300 MONTICELLO PLACE	FAIRVIEW HEIGHTS	IL	62208
QUALITY AWNING & CONSTRUCTION CO	7937 SCHAEFER RD	DEARBORN	MI	48126
QUALITY TRANSPORTATION SERVICES INC	5220 S CAMERON ST	LAS VEGAS	NV	89118
QUOVADIX INC	6400 S FIDDLERS GREEN CIR	ENGLEWOOD	CO	80111
R & R ELECTRIC INC	HWY 75 N PO BOX 181	BRECKENRIDGE	MN	56520
R IZOKAITIS CONSTRUCTION INC	14817 GRANT ST	OMAHA	NE	68116
R MESSNER CONSTRUCTION CO INC	3595 N WEBB RD #500	WICHITA	KS	67226
RADIOLOGY STAFFING INC	13705 B ST	OMAHA	NE	68144
RCS CONSTRUCTION INC	197 OLD ST LOUIS RD	WOOD RIVER	IL	62095
RDC MANUFACTURING INC	200 LUKKEN INDUSTRIAL DR	LA GRANGE	GA	30240
REASONS CONSTRUCTION COMPANY INC	3825 EAST END DR	HUMBOLDT	TN	38343
REDNOUR STEEL ERECTORS INC	HWY 150	CUTLER	IL	62238
REED CONSTRUCTION DATA INC	275 WASHINGTON ST	NEWTON	MA	02458
RENIER CONSTRUCTION CORPORATION	2164 CITY GATE DRIVE	COLUMBUS	OH	43219
RESERV CONSTRUCTION CO INC	7101 SHARONDALE CT #200	BRENTWOOD	TN	37027

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RETAIL PLANNING & CONSTRUCTION INC	735 BIRCH AVE	BENSALEM	PA	19020
RETAIL STOREFRONT GROUP INC	419 MIAMI AVE	LEEDS	AL	35094
RFB CONSTRUCTION CO INC	565 E 520TH AVE	PITTSBURGH	KS	66762
RJ PITCHER INC	4575 BUCKLEY RD	LIVERPOOL	NY	13088
RMP INC	1120 W 247TH	BUCYRUS	KS	66013
ROBERT W BRITZ PAINTING COMPANY INC	14272 FRAZEE RD	DIVERNON	IL	62530
ROGERS PREMIER UNLOADING SERVICES	3801 SUNSET AVE	ROCKY MOUNT	NC	27804
ROSE LAN CONTRACTORS INC	820 CHEYENNE AVE	KANSAS CITY	KS	66105
ROYAL ELECTRIC CONSTRUCTION INC	7905 MONTICELLO RD	SHAWNEE MISSION	KS	66203
RUPP MASONRY CONSTRUCTION CO	1501 N 18TH STREET	QUINCY	IL	62301
RUSSELL CONSTRUCTION CO	3032 A NORTH FRAZIER ST	CONROE	TX	77303
RUSSIAN CONCRETE CONSTRUCTION	1133 S 205TH	PITTSBURG	KS	66762
S A COMUNALE CO INC	2900 NEWPARK DR	BARBERTON	OH	44203
S G CONSTRUCTION COMPANY	2850 MT PLEASANT ST	BURLINGTON	IA	52601
SA SMITH ELECTRIC INC	525 JERSEY ST	QUINCY	IL	62301
SAGEZ CONSTRUCTION INC	HC61 BOX 17	HARDIN	IL	62047
SCHUMACHER ELEVATOR COMPANY	ONE SCHUMAKER WAY	DENVER	IA	50622
SCHUPPS LINE CONSTRUCTION INC	10 PETRA LANE	ALBANY	NY	12205
SCI GENERAL CONTRACTORS INC	4530 BARKSDALE BLVD STE C	BOSSIER CITY	LA	71112
SELECTEK INC	1000 MANSELL EXC WEST 340	ALPHARETTA	GA	30022
SERRAULT SERVICES OF KANSAS INC	7625 LAKESIDE AVE	MANHATTEN	KS	66502
SERVICEMASTER DESIGN BUILD LLC	8615 FREEPORT PKWY 5-100	IRVING	TX	75063
SGT LTD I	3407 TORREY RD	FLINT	MI	48507
SHILOH STEEL FABRICATORS INC	200 EAST HWY 264	SPRINGDALE	AR	72764
SKYLIGHT MANUFACTURING INC	1208 ALDINE MAIL RD	HOUSTON	TX	77039
SOONER BUILDERS & INVESTMENTS INC	26005 E ADMIRAL	CATOOSA	OK	74015
SOUTHEAST DIRECTIONAL DRILLING LLC	2323 S HARDY DRIVE	TEMPE	AZ	85282
SPARKS & WIEWEL CONSTRUCTION CO	6200 BROADWAY	QUINCY	IL	62301
SPARROW PLUMBING & HEATING INC	313 DELAWARE	QUINCY	IL	62301
SPARTAN CONSTRUCTORS LLC	2100 DRAYTON RD	DRAYTON	SC	29333
SPINIELLO LIMITED INC	35 AIRPORT RD	MORRISTOWN	NJ	07962
SPORTEXE CONSTRUCTION SERVICES INC	1809 MERRITTVILLE FONTHIL	ONT CAN LOS1E6	ON	99999
STELLAR GROUP INC	2900 HARTLEY RD	JACKSONVILLE	FL	32257
STORY ENTERPRISES INC	7735 WASHINGTON AVE STE G	KANSAS CITY	KS	66112
STREICHER EXCAVATING INC	1718 EAST BREMER AVE	WAVERLY	IA	50677
STRINGER CONSTRUCTION COMPANY INC	6141 LUCILE AVE	SHAWNEE	KS	66203
STUEVE CONSTRUCTION COMPANY	2201 E OAK ST	ALGONA	IA	50511
SUNCON INC	#2 TERMINAL DR STE 17A	EAST ALTON	IL	62002
SUNLAND CONSTRUCTION INC	HWY 13 SOUTH	EUNICE	LA	70535
SUPERIOR FLOORS INC	3225 N PROSPECT RD	PEORIA	IL	61603
SURFACE PREPARATION TECHNOLOGIES INC	81 TEXACO ROAD	MECHANICSBURG	PA	17055
SW FRANKS CONSTRUCTION CO	2070 WEST 3RD ST	CLEVELAND	OH	44113

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
SW HUFFMAN CONSTRUCTION INC	PO BOX 99	OTTUMWA	IA	52501
SWANSTON EQUIPMENT COMPANY	3404 MAIN AVE	FARGO	ND	58103
SWORD CONSTRUCTION LLC	1701 NORTHPARK DR STE 6	KINGWOOD	TX	77339
SYSTEMS INTEGRATION & DEVELOPMENT INC	15200 SHADY GROVE RD	ROCKVILLE	MD	20850
TAFT CONTRACTING CO INC	9000 W 67TH	HODGKINS	IL	60525
TANCO ENGINEERING INCORPORATED	1030 BOSTON AVE	LONGMONT	CO	80501
TECH BUILDERS INC	410 DOWNTOWN PLZ	FAIRMONT	MN	56031
TEFCO INC	11022 SAWMILL RD	ELBERFELD	IN	47613
TERRA ENGINEERING & CONSTRUCTION CORPORATION	2201 VONDRON RD	MADISON	WI	53718
TEXAS COMMERCIAL FENCE INC	320 SOUTHLAND DR	BURNET	TX	78611
TEXAS STONE & TILE INC	2683 LOMBARDY LN	DALLAS	TX	75220
THIEMS CONSTRUCTION CO INC	P O BOX 386	EDWARDSVILLE	IL	62025
THOMAS L BEAR CONSTRUCTION INC	14758 202ND ST	BLOOMFIELD	IA	52537
THOMPSON ELECTRIC COMPANY OF OMAHA	P O BOX 207	SIOUX CITY	IA	51102
TIC THE INDUSTRIAL COMPANY	40185 ROUTT COUNTY RD 129	STEAMBOAT SPRGS	CO	80477
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DRIVE	OWENSBORO	KY	42302
TMI COATINGS INC	2805 DODD RD	EAGAN	MN	55121
TNT CONSTRUCTION CO INC	144 EASY ST	CAROL STREAM	IL	60188
TONTO CONSTRUCTION INC	HWY 16 W 78TH ST	MUSKOGEE	OK	74401
TPQ CORPORATION	8522 E 61ST ST	TULSA	OK	74133
TRAC WORK INC	303 W KNOX	ENNIS	TX	75119
TRI STATE PAVING INC	STATE LINE RD	PICHER	OK	74360
TRI STATE SIGNING	509 BAILEY AVE	NEW HAMPTON	IA	50659
TRIAGE CONSULTING GROUP	221 MAIN STREET STE 1100	SAN FRANCISCO	CA	94105
TRIDAQ INC	1011 LEAVENWORTH	OMAHA	NE	68102
TRIGON ENGINEERING INC	475 17TH ST STE 300	DENVER	CO	80202
TRINITY EXCAVATING & CONSTRUCTION INC	1500 KANSAS CITY RD	OLATHE	KS	66061
TSC OF KANSAS INC	2200 W 75TH ST STE 15	PRAIRIE VILLAGE	KS	66208
TULSA INSPECTION RESOURCES INC	12811 E 86TH PLACE N #106	OWASSO	OK	74055
TWIN CITY POOLS INC	948 KANSAS AVE	KANSAS CITY	KS	66105
UNIVERSAL CONTRACTING CO	1207 LUCAS	BURLINGTON	IA	52601
UNIVERSAL LIMITED INC	932 ALTON PARKWAY	BIRMINGHAM	AL	35210
US ASPHALT CO	14012 GILES RD	OMAHA	NE	68138
VERSENT GROUP LLC	13608 W 95TH ST	LENEXA	KS	66215
VHP ENTERPRISES INC	728 WESLEY AVE	TARPON SPRINGS	FL	34689
VINCENT ROOFING INC	340 SE 15TH ST	TOPEKA	KS	66607
VINTAGE SPORTS CARDS INC	410 S TRADE CNTR PKWY #A8	CONROE	TX	77385
VLS SYSTEMS INC	9900 MAIN ST #304	FAIRFAX	VA	22031
VON ALST INC	2416 SMELTING WORKS RD	SWANSEA	IL	62226
VON ROLL INC	3080 NORTHWOODS CIR STE 2	NORCROSS	GA	30071
W & G LLC	5075 CARPENTER RD	YPSILANTI	MI	48197

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
W G YATES & SONS CONSTRUCTION COMPA	104 GULLY AVENUE	PHILADELPHIA	MS	39350
WACHTER ELECTRIC COMPANY	16001 W 99TH ST	LENEXA	KS	66219
WADE & ASSOCIATES INC	2500 W 6TH ST STE E	LAWRENCE	KS	66049
WALKER CONSTRUCTION CO INC	HWY 50 TO KAHOLA LAKE RD	EMPORIA	KS	66801
WALT WAGNER CONSTRUCTION INC	305 S 5TH ST	LEAVENWORTH	KS	66048
WALTERS EXCAVATING	24060 K 68 HWY	PAOLA	KS	66071
WASATCH ELECTRIC A DIVISION OF DYNA	1420 SPRING HILL RD SE500	MCLEAN	VA	22102
WEATHERCRAFT COMPANY OF GRAND ISLAND	312 NORTH ELM STREET	GRAND ISLAND	NE	68801
WEATHERCRAFT COMPANY OF LINCOLN	545 J ST	LINCOLN	NE	68508
WEBER AIR CONDITIONING CO INC	2501 CONE DR	TARRANT	AL	35217
WEGMAN INC	608 W LASLEY	ST MARYS	KS	66546
WEITZ COMPANY LLC THE	400 LOCUST STE 300	DES MOINES	IA	50309
WELSH COMPANIES	8200 NORMANDALE BLVD #200	MINNEAPOLIS	MN	55437
WEST SIDE MECHANICAL INC	P O BOX 11247	KANSAS CITY	KS	66111
WESTERN CAROLINA PLUMBING	25 SANDTRAP RD	WAYNESVILLE	NC	28786
WESTIN CONSTRUCTION COMPANY	10828 NESBITT AVE SO	BLOOMINGTON	MN	55437
WHITE MOUNTAIN CABLE CONSTRUCTION C	OLD DOVER RD	EPSOM	NH	03234
WHITING TURNER CONTRACTING CO THE	300 E JOPPA RD	BALTIMORE	MD	21286
WILKINS GROUP INC	1710 FIRMAN DR #200	RICHARDSON	TX	75081
WILLIAMS ELECTRIC CO INC	695 DENTON BLVD	FORT WALTON BEA	FL	32547
WINTER CONSTRUCTION INC	1/4 M E ON 54 SOUTH	FORT SCOTT	KS	66701
WIRELESS FACILITIES INC	9725 SCRANTON RD STE 140	SAN DIEGO	CA	92121
WOODS CONSTRUCTION INC	6396 PRODUCT DRIVE	STERLING HEIGHTS	MI	48312
WORLEY CLAIMS SERVICE INC	4736 W NAPOLEAN AVE	METAIRIE	LA	70001
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST	NASHVILLE	TN	37211
YAZAKI EDS ENGINEERING INC	6800 HAGGERTY RD	CANTON	MI	48187
YOUNGLOVE CONSTRUCTION LLC	2015 EAST 7TH STREET	SIOUX CITY	IA	51101
ZIMMERMAN CONSTRUCTION COMPANY INC	11005 W 126TH ST	OVERLAND PARK	KS	66213

Updated: 01/03/2006 8:29:46 AM



## STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Stan Buffington DBA Buffington Brothers Heating & Cooling		110 N. Riverview  Poplar Bluff, MO 63901	10/26/05	10/26/2005-10/26/06

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

**NOTICE OF CORPORATE DISSOLUTION  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BOEING-MCDONNELL SCHOLARSHIP FOUNDATION**

Boeing-McDonnell Scholarship Foundation, Inc. a Missouri nonprofit corporation (the "Corporation"), has been dissolved pursuant to Section 355.681 of The Missouri Nonprofit Corporation Act of the State of Missouri by filing its Articles of Dissolution with the Missouri Secretary of State effective April 11, 2006. Pursuant to Section 355.701 of The Missouri Nonprofit Corporation Act of the State of Missouri, any claims against the Corporation must be sent to:

100 Airport Way  
Berkley, MO 63134  
Attention: Evans Richardson

Claims submitted must include the following information: (1) claimant name, address, and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the creditor; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

**NOTICE: CLAIMS OF CREDITORS OF THE CORPORATION WILL BE BARRED  
UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN 2  
(TWO) YEARS OF THE DATE OF THIS NOTICE.**

**NOTICE OF CORPORATE DISSOLUTION  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BOEING-MCDONNELL FOUNDATION**

Boeing-McDonnell Foundation, a Missouri nonprofit corporation (the "Corporation"), has been dissolved pursuant to Section 355.681 of The Missouri Nonprofit Corporation Act of the State of Missouri by filing its Articles of Dissolution with the Missouri Secretary of State effective April 11, 2006. Pursuant to Section 355.696 of The Missouri Nonprofit Corporation Act of the State of Missouri, any claims against the Corporation must be sent to:

100 Airport Way  
Berkley, MO 63134  
Attention: Evans Richardson

Claims submitted must include the following information: (1) claimant name, address, and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the creditor; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

**NOTICE: CLAIMS OF CREDITORS OF THE CORPORATION WILL BE BARRED  
UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN 2  
(TWO) YEARS OF THE DATE OF THIS NOTICE.**

Notice of Dissolution  
Of Limited Liability Company  
To All Creditors of and  
Claimants Against  
Fat Paintball, LLC

On March 6, 2006, Fat Paintball, LLC, a Missouri limited liability company, (hereinafter the "Company") filed its Notice of Winding Up for a limited liability company with the Missouri Secretary of State effective with the date of filing.

Any claims against the company may be sent to Michael G. Correale, 111 St. Francois Plaza, Leadington, MO 63601. Each claim must include the following information: the name, address and phone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and documentation for the claim.

All claims against the company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
D-H.I. HOLDINGS, LLC

On April 5, 2006, D-H.I. HOLDINGS, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to the company c/o Norbert Glassl, 3590 Summerlyn Drive, St. Louis, Missouri 63129.

All claims against the company must include: (1) the name, address and phone number of the claimant; (2) the amount claimed; (3) the basis of the claim; (4) the date on which the claim arose; and (5) documentation supporting the claim.

NOTICE: Because of the winding up of D-H.I. HOLDINGS, LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the notices authorized by statute, whichever is published last.

# Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				30 MoReg 2435
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel		31 MoReg 285		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		30 MoReg 2384		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-2.014	Animal Health	31 MoReg 277 31 MoReg 541T			
2 CSR 30-10.010	Animal Health		31 MoReg 462		
2 CSR 80-5.010	State Milk Board		31 MoReg 586		
2 CSR 90-20.040	Weights and Measures		31 MoReg 98	This Issue	
2 CSR 90-22.140	Weights and Measures		31 MoReg 98	This Issue	
2 CSR 90-23.010	Weights and Measures		31 MoReg 99	This Issue	
2 CSR 90-25.010	Weights and Measures		31 MoReg 99	This Issue	
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-4.111	Conservation Commission		This Issue		
3 CSR 10-4.135	Conservation Commission		31 MoReg 589		
3 CSR 10-5.331	Conservation Commission		31 MoReg 374	This Issue	
3 CSR 10-7.410	Conservation Commission		31 MoReg 208	31 MoReg 609	
3 CSR 10-7.455	Conservation Commission				31 MoReg 244
3 CSR 10-9.110	Conservation Commission		This Issue		
3 CSR 10-9.565	Conservation Commission		This Issue		
3 CSR 10-10.707	Conservation Commission		31 MoReg 589		
3 CSR 10-10.708	Conservation Commission		31 MoReg 592		
3 CSR 10-10.710	Conservation Commission		31 MoReg 594R		
3 CSR 10-10.715	Conservation Commission		31 MoReg 596		
3 CSR 10-10.725	Conservation Commission		31 MoReg 603		
3 CSR 10-11.120	Conservation Commission		31 MoReg 603		
3 CSR 10-11.135	Conservation Commission		31 MoReg 603		
3 CSR 10-11.180	Conservation Commission		31 MoReg 604		
3 CSR 10-11.205	Conservation Commission		31 MoReg 605		
3 CSR 10-12.110	Conservation Commission		31 MoReg 605		
3 CSR 10-12.115	Conservation Commission		31 MoReg 605		
3 CSR 10-12.125	Conservation Commission		31 MoReg 606		
3 CSR 10-12.135	Conservation Commission		31 MoReg 607		
3 CSR 10-12.140	Conservation Commission		31 MoReg 607		
3 CSR 10-12.145	Conservation Commission		31 MoReg 607		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 10-1.010	Missouri State Board of Accountancy		31 MoReg 653		
4 CSR 10-1.020	Missouri State Board of Accountancy		31 MoReg 653		
4 CSR 10-1.050	Missouri State Board of Accountancy		31 MoReg 654		
4 CSR 10-2.005	Missouri State Board of Accountancy		31 MoReg 656		
4 CSR 10-2.022	Missouri State Board of Accountancy		31 MoReg 656R 31 MoReg 656		
4 CSR 10-2.041	Missouri State Board of Accountancy		31 MoReg 659		
4 CSR 10-2.051	Missouri State Board of Accountancy		31 MoReg 659		
4 CSR 10-2.065	Missouri State Board of Accountancy		31 MoReg 660		
4 CSR 10-2.070	Missouri State Board of Accountancy		31 MoReg 663		
4 CSR 10-2.072	Missouri State Board of Accountancy		31 MoReg 663		
4 CSR 10-2.075	Missouri State Board of Accountancy		31 MoReg 664		
4 CSR 10-2.130	Missouri State Board of Accountancy		31 MoReg 664R 31 MoReg 664		
4 CSR 10-2.140	Missouri State Board of Accountancy		31 MoReg 667		
4 CSR 10-2.150	Missouri State Board of Accountancy		31 MoReg 668R 31 MoReg 668		
4 CSR 10-2.160	Missouri State Board of Accountancy		31 MoReg 669		
4 CSR 30-1.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 7	This Issue	
4 CSR 30-2.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 8	This Issue	



Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-4.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 9	This Issue	
4 CSR 30-5.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 10	This Issue	
4 CSR 30-5.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 10	This Issue	
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 11		
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 13	This Issue	
4 CSR 30-7.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 13	This Issue	
4 CSR 30-11.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 13	This Issue	
4 CSR 30-13.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 14	This Issue	
4 CSR 30-13.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 15	This Issue	
4 CSR 30-14.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 16	This Issue	
4 CSR 30-17.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 16	This Issue	
4 CSR 30-18.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 16	This Issue	
4 CSR 30-19.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 16	This Issue	
4 CSR 30-20.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		31 MoReg 17	This Issue	
4 CSR 100	Division of Credit Unions				31 MoReg 396 31 MoReg 737
4 CSR 115-1.040	State Committee of Dietitians		31 MoReg 286		
4 CSR 115-2.045	State Committee of Dietitians		31 MoReg 289		
4 CSR 120-2.060	State Board of Embalmers and Funeral Directors		31 MoReg 542		
4 CSR 150-3.010	State Board of Registration for the Healing Arts		31 MoReg 208	This Issue	
4 CSR 150-3.030	State Board of Registration for the Healing Arts		31 MoReg 209	This Issue	
4 CSR 150-3.050	State Board of Registration for the Healing Arts		31 MoReg 210	This Issue	
4 CSR 150-3.110	State Board of Registration for the Healing Arts		31 MoReg 210	This Issue	
4 CSR 150-3.150	State Board of Registration for the Healing Arts		31 MoReg 211	This Issue	This Issue
4 CSR 150-9.010	State Board of Registration for the Healing Arts		31 MoReg 292		
4 CSR 150-9.020	State Board of Registration for the Healing Arts		31 MoReg 292		
4 CSR 150-9.030	State Board of Registration for the Healing Arts		31 MoReg 292		
4 CSR 150-9.040	State Board of Registration for the Healing Arts		31 MoReg 296		
4 CSR 150-9.050	State Board of Registration for the Healing Arts		31 MoReg 296		
4 CSR 150-9.051	State Board of Registration for the Healing Arts		31 MoReg 297		
4 CSR 150-9.060	State Board of Registration for the Healing Arts		31 MoReg 298		
4 CSR 150-9.070	State Board of Registration for the Healing Arts		31 MoReg 301		
4 CSR 150-9.080	State Board of Registration for the Healing Arts		31 MoReg 303		
4 CSR 150-9.090	State Board of Registration for the Healing Arts		31 MoReg 303		
4 CSR 150-9.100	State Board of Registration for the Healing Arts		31 MoReg 303		
4 CSR 150-9.110	State Board of Registration for the Healing Arts		31 MoReg 304		
4 CSR 150-9.120	State Board of Registration for the Healing Arts		31 MoReg 304		
4 CSR 150-9.130	State Board of Registration for the Healing Arts		31 MoReg 305		
4 CSR 150-9.140	State Board of Registration for the Healing Arts		31 MoReg 305		
4 CSR 205-5.010	Missouri Board of Occupational Therapy		31 MoReg 17	This Issue	
4 CSR 210-2.030	State Board of Optometry		31 MoReg 212	This Issue	
4 CSR 210-2.070	State Board of Optometry		31 MoReg 212	This Issue	
4 CSR 232-3.010	Missouri State Committee of Interpreters		31 MoReg 19	This Issue	
4 CSR 240-2.071	Public Service Commission		30 MoReg 1332		
4 CSR 240-3.240	Public Service Commission		30 MoReg 2033R 30 MoReg 2034		
4 CSR 240-3.330	Public Service Commission		30 MoReg 2037R 30 MoReg 2037		
4 CSR 240-3.440	Public Service Commission		30 MoReg 2041R 30 MoReg 2041		
4 CSR 240-3.570	Public Service Commission		30 MoReg 2479	This Issue	
4 CSR 240-3.635	Public Service Commission		30 MoReg 2045R 30 MoReg 2045		
4 CSR 250-3.010	Missouri Real Estate Commission		31 MoReg 672		
4 CSR 250-3.020	Missouri Real Estate Commission		31 MoReg 675		
4 CSR 250-5.030	Missouri Real Estate Commission		31 MoReg 675		
4 CSR 250-5.040	Missouri Real Estate Commission		31 MoReg 678		
4 CSR 250-6.010	Missouri Real Estate Commission		31 MoReg 678R		
4 CSR 250-6.020	Missouri Real Estate Commission		31 MoReg 678R		
4 CSR 250-6.040	Missouri Real Estate Commission		31 MoReg 678R		
4 CSR 250-6.050	Missouri Real Estate Commission		31 MoReg 679R		
4 CSR 250-6.060	Missouri Real Estate Commission		31 MoReg 679		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 250-7.010	Missouri Real Estate Commission		31 MoReg 682R 31 MoReg 682		
4 CSR 250-7.020	Missouri Real Estate Commission		31 MoReg 686R 31 MoReg 686		
4 CSR 250-7.030	Missouri Real Estate Commission		31 MoReg 691R		
4 CSR 250-7.040	Missouri Real Estate Commission		31 MoReg 691R		
4 CSR 250-7.050	Missouri Real Estate Commission		31 MoReg 691R		
4 CSR 250-7.060	Missouri Real Estate Commission		31 MoReg 691		
4 CSR 250-7.070	Missouri Real Estate Commission		31 MoReg 692		
4 CSR 250-7.080	Missouri Real Estate Commission		31 MoReg 693		
4 CSR 250-7.090	Missouri Real Estate Commission		31 MoReg 696		
4 CSR 250-10.010	Missouri Real Estate Commission		31 MoReg 698R		
4 CSR 250-10.020	Missouri Real Estate Commission		31 MoReg 698R		
4 CSR 250-10.030	Missouri Real Estate Commission		31 MoReg 698R		
4 CSR 250-10.040	Missouri Real Estate Commission		31 MoReg 698R		
4 CSR 250-10.050	Missouri Real Estate Commission		31 MoReg 699R		
4 CSR 250-10.060	Missouri Real Estate Commission		31 MoReg 699R		
4 CSR 250-10.070	Missouri Real Estate Commission		31 MoReg 699R		
4 CSR 250-10.075	Missouri Real Estate Commission		31 MoReg 699R		
4 CSR 250-10.080	Missouri Real Estate Commission		31 MoReg 700R		
4 CSR 250-10.100	Missouri Real Estate Commission		31 MoReg 700		
4 CSR 263-2.082	State Committee for Social Workers		31 MoReg 309R 31 MoReg 309		
4 CSR 270-1.031	Missouri Veterinary Medical Board		31 MoReg 19	This Issue	
4 CSR 270-1.050	Missouri Veterinary Medical Board		31 MoReg 20	This Issue	
4 CSR 270-4.011	Missouri Veterinary Medical Board		31 MoReg 20	This Issue	
4 CSR 270-4.041	Missouri Veterinary Medical Board		31 MoReg 23	This Issue	
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-14.010	Missouri Highways and Transportation Commission		31 MoReg 314		
7 CSR 10-14.020	Missouri Highways and Transportation Commission		31 MoReg 314		
7 CSR 10-14.030	Missouri Highways and Transportation Commission		31 MoReg 314		
7 CSR 10-14.040	Missouri Highways and Transportation Commission		31 MoReg 315		
7 CSR 10-14.050	Missouri Highways and Transportation Commission		31 MoReg 316		
7 CSR 10-14.060	Missouri Highways and Transportation Commission		31 MoReg 316		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				This Issue
7 CSR 10-26.010	Missouri Highways and Transportation Commission		31 MoReg 317		
7 CSR 10-26.020	Missouri Highways and Transportation Commission		31 MoReg 317		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-4.190	Division of Employment Security	31 MoReg 5	31 MoReg 23	31 MoReg 609	
8 CSR 50-2.020	Division of Workers' Compensation	31 MoReg 83	31 MoReg 23	31 MoReg 735	
8 CSR 50-2.060	Division of Workers' Compensation		This IssueR This Issue		
8 CSR 50-5.060	Division of Workers' Compensation	30 MoReg 2467	30 MoReg 2486	31 MoReg 546	
8 CSR 60-2.025	Missouri Commission on Human Rights		30 MoReg 1921		
8 CSR 60-2.065	Missouri Commission on Human Rights		30 MoReg 1921		
8 CSR 60-2.100	Missouri Commission on Human Rights		30 MoReg 1922		
8 CSR 60-2.130	Missouri Commission on Human Rights		30 MoReg 1923		
8 CSR 60-2.150	Missouri Commission on Human Rights		30 MoReg 1923		
8 CSR 60-2.210	Missouri Commission on Human Rights		30 MoReg 1923		
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 45-2.015	Division of Mental Retardation and Developmental Disabilities		31 MoReg 704		
9 CSR 45-2.017	Division of Mental Retardation and Developmental Disabilities		31 MoReg 704		
9 CSR 45-5.120	Division of Mental Retardation and Developmental Disabilities				31 MoReg 394RUC
9 CSR 50-2.010	Admission Criteria		31 MoReg 462		
9 CSR 50-2.020	Admission Criteria		31 MoReg 465		
9 CSR 50-2.510	Admission Criteria		31 MoReg 466		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-5.300	Air Conservation Commission		31 MoReg 714		
10 CSR 10-5.510	Air Conservation Commission		30 MoReg 2049	31 MoReg 609	
10 CSR 10-6.061	Air Conservation Commission		31 MoReg 25		
10 CSR 25-3.260	Hazardous Waste Management Commission		31 MoReg 719		
10 CSR 25-4.261	Hazardous Waste Management Commission		31 MoReg 720		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 25-5.262	Hazardous Waste Management Commission		31 MoReg 720		
10 CSR 25-6.263	Hazardous Waste Management Commission		31 MoReg 721		
10 CSR 25-7.264	Hazardous Waste Management Commission		31 MoReg 721		
10 CSR 25-7.265	Hazardous Waste Management Commission		31 MoReg 722		
10 CSR 25-7.266	Hazardous Waste Management Commission		31 MoReg 722		
10 CSR 25-7.268	Hazardous Waste Management Commission		31 MoReg 723		
10 CSR 25-7.270	Hazardous Waste Management Commission		31 MoReg 723		
10 CSR 25-11.279	Hazardous Waste Management Commission		31 MoReg 724		
10 CSR 25-16.273	Hazardous Waste Management Commission		31 MoReg 725		
10 CSR 25-17.010	Hazardous Waste Management Commission		30 MoReg 2252	31 MoReg 609	
10 CSR 25-17.020	Hazardous Waste Management Commission		30 MoReg 2252	31 MoReg 610	
10 CSR 25-17.030	Hazardous Waste Management Commission		30 MoReg 2253	31 MoReg 610	
10 CSR 25-17.040	Hazardous Waste Management Commission		30 MoReg 2254	31 MoReg 610	
10 CSR 25-17.050	Hazardous Waste Management Commission		30 MoReg 2260	31 MoReg 610	
10 CSR 25-17.060	Hazardous Waste Management Commission		30 MoReg 2267	31 MoReg 610	
10 CSR 25-17.070	Hazardous Waste Management Commission		30 MoReg 2267	31 MoReg 611	
10 CSR 25-17.080	Hazardous Waste Management Commission		30 MoReg 2274	31 MoReg 611	
10 CSR 25-17.090	Hazardous Waste Management Commission		30 MoReg 2280	31 MoReg 611	
10 CSR 25-17.100	Hazardous Waste Management Commission		30 MoReg 2286	31 MoReg 611	
10 CSR 25-17.110	Hazardous Waste Management Commission		30 MoReg 2286	31 MoReg 611	
10 CSR 25-17.120	Hazardous Waste Management Commission		30 MoReg 2287	31 MoReg 612	
10 CSR 25-17.130	Hazardous Waste Management Commission		30 MoReg 2288	31 MoReg 612	
10 CSR 25-17.140	Hazardous Waste Management Commission		30 MoReg 2288	31 MoReg 612	
10 CSR 25-17.150	Hazardous Waste Management Commission		30 MoReg 2289	31 MoReg 612	
10 CSR 25-17.160	Hazardous Waste Management Commission		30 MoReg 2295	31 MoReg 612	
10 CSR 25-17.170	Hazardous Waste Management Commission		30 MoReg 2295	31 MoReg 613	
10 CSR 40-7.011	Land Reclamation Commission	31 MoReg 182	31 MoReg 28		
10 CSR 40-7.021	Land Reclamation Commission	31 MoReg 186	31 MoReg 32		
10 CSR 40-7.031	Land Reclamation Commission	31 MoReg 188	31 MoReg 33		
10 CSR 40-7.041	Land Reclamation Commission	31 MoReg 189	31 MoReg 34		
10 CSR 40-10.085	Land Reclamation Commission		30 MoReg 1124		
10 CSR 140-2.020	Division of Energy				30 MoReg 2096
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 10-7.010	Adjutant General	30 MoReg 2549	30 MoReg 2556	31 MoReg 546	
11 CSR 40-2.010	Division of Fire Safety		31 MoReg 318	This Issue	
11 CSR 40-2.015	Division of Fire Safety		31 MoReg 319	This Issue	
11 CSR 40-2.030	Division of Fire Safety		31 MoReg 320	This Issue	
11 CSR 40-2.040	Division of Fire Safety		31 MoReg 320	This Issue	
11 CSR 45-3.010	Missouri Gaming Commission		31 MoReg 725		
11 CSR 45-4.260	Missouri Gaming Commission		31 MoReg 726		
11 CSR 45-5.237	Missouri Gaming Commission		30 MoReg 2488	31 MoReg 546	
11 CSR 45-8.060	Missouri Gaming Commission		31 MoReg 726		
11 CSR 45-8.170	Missouri Gaming Commission		31 MoReg 376		
11 CSR 45-10.020	Missouri Gaming Commission		31 MoReg 726		
11 CSR 45-30.035	Missouri Gaming Commission		31 MoReg 379		
11 CSR 45-30.090	Missouri Gaming Commission		31 MoReg 379		
11 CSR 45-30.140	Missouri Gaming Commission		31 MoReg 379		
11 CSR 45-30.175	Missouri Gaming Commission		31 MoReg 380		
11 CSR 45-30.390	Missouri Gaming Commission		31 MoReg 380		
11 CSR 45-30.480	Missouri Gaming Commission		31 MoReg 381		
11 CSR 45-30.600	Missouri Gaming Commission		31 MoReg 381		
11 CSR 45-30.610	Missouri Gaming Commission		31 MoReg 384		
11 CSR 70-2.280	Division of Alcohol and Tobacco Control		31 MoReg 321		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-1.020	Director of Revenue		30 MoReg 2488	31 MoReg 546	
12 CSR 10-2.195	Director of Revenue		30 MoReg 982R		
			30 MoReg 2489R	31 MoReg 547R	
12 CSR 10-3.470	Director of Revenue		30 MoReg 2489R	31 MoReg 547R	
12 CSR 10-3.566	Director of Revenue		30 MoReg 2489R	31 MoReg 547R	
12 CSR 10-3.568	Director of Revenue		30 MoReg 2490R	31 MoReg 547R	
12 CSR 10-3.892	Director of Revenue		30 MoReg 2490R	31 MoReg 547R	
12 CSR 10-6.030	Director of Revenue		30 MoReg 2490	31 MoReg 547	
12 CSR 10-23.390	Director of Revenue		30 MoReg 2559R	31 MoReg 548R	
12 CSR 10-23.420	Director of Revenue		31 MoReg 216	This Issue	
12 CSR 10-23.440	Director of Revenue		30 MoReg 2493R	31 MoReg 548R	
12 CSR 10-23.470	Director of Revenue		31 MoReg 216	This Issue	
12 CSR 10-24.030	Director of Revenue		30 MoReg 2493	31 MoReg 548	
12 CSR 10-24.120	Director of Revenue		30 MoReg 2559R	31 MoReg 548R	
12 CSR 10-24.370	Director of Revenue		31 MoReg 217R	This IssueR	
12 CSR 10-24.400	Director of Revenue		31 MoReg 217R	This IssueR	
12 CSR 10-41.010	Director of Revenue	30 MoReg 2550 31 MoReg 5T 31 MoReg 5	30 MoReg 2494		
			31 MoReg 35	31 MoReg 613	

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12 CSR 10-101.700	Director of Revenue		30 MoReg 2559	31 MoReg 548	
12 CSR 10-103.620	Director of Revenue		30 MoReg 2559	31 MoReg 548	
12 CSR 10-200.010	Director of Revenue		31 MoReg 727		
12 CSR 30-1.010	State Tax Commission		This Issue		
12 CSR 30-1.020	State Tax Commission		This Issue		
12 CSR 30-3.060	State Tax Commission		31 MoReg 217		
12 CSR 30-3.065	State Tax Commission		31 MoReg 218		
12 CSR 30-3.090	State Tax Commission		This Issue		
12 CSR 30-4.010	State Tax Commission		31 MoReg 218		
12 CSR 40-80.080	State Lottery		30 MoReg 2563	This Issue	
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 40-19.020	Family Support Division	30 MoReg 1993	30 MoReg 2055		
13 CSR 40-110.030	Family Support Division		31 MoReg 731		
13 CSR 70-1.010	Division of Medical Services		This Issue		
13 CSR 70-3.020	Division of Medical Services		30 MoReg 2498	31 MoReg 735	
13 CSR 70-4.080	Division of Medical Services		30 MoReg 2563	31 MoReg 613	
13 CSR 70-6.010	Division of Medical Services		31 MoReg 468		
13 CSR 70-15.010	Division of Medical Services		31 MoReg 384		
13 CSR 70-28.010	Division of Medical Services		30 MoReg 2306	31 MoReg 548W	
<b>ELECTED OFFICIALS</b>					
15 CSR 30-9.020	Secretary of State	31 MoReg 441R 31 MoReg 441	31 MoReg 472R 31 MoReg 472		
15 CSR 30-9.030	Secretary of State	31 MoReg 445R 31 MoReg 445	31 MoReg 475R 31 MoReg 476		
15 CSR 30-50.040	Secretary of State		30 MoReg 2307 31 MoReg 608		
15 CSR 30-54.070	Secretary of State		31 MoReg 734		
15 CSR 30-54.260	Secretary of State		30 MoReg 2563	31 MoReg 549	
15 CSR 30-200.100	Secretary of State		31 MoReg 542		
15 CSR 60-14.040	Attorney General	30 MoReg 2382	30 MoReg 2406	31 MoReg 613	
<b>RETIREMENT SYSTEMS</b>					
16 CSR 50-1.010	The County Employees' Retirement Fund		30 MoReg 2564	31 MoReg 614	
16 CSR 50-2.035	The County Employees' Retirement Fund		30 MoReg 2564 31 MoReg 543	31 MoReg 614	
16 CSR 50-2.040	The County Employees' Retirement Fund		30 MoReg 2566	31 MoReg 614	
16 CSR 50-2.120	The County Employees' Retirement Fund		30 MoReg 2566	31 MoReg 614	
16 CSR 50-2.130	The County Employees' Retirement Fund		30 MoReg 2567	31 MoReg 614	
16 CSR 50-2.160	The County Employees' Retirement Fund		30 MoReg 2567 31 MoReg 544	31 MoReg 614	
16 CSR 50-3.010	The County Employees' Retirement Fund		31 MoReg 544		
16 CSR 50-10.030	The County Employees' Retirement Fund		30 MoReg 2568	31 MoReg 615	
16 CSR 50-10.050	The County Employees' Retirement Fund		30 MoReg 2568	31 MoReg 615	
16 CSR 50-20.120	The County Employees' Retirement Fund		30 MoReg 2568	31 MoReg 615	
<b>PUBLIC DEFENDER COMMISSION</b>					
18 CSR 10-3.010	Office of State Public Defender		31 MoReg 385		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 15-8.100	Division of Senior and Disability Services	31 MoReg 84	31 MoReg 100		
19 CSR 15-8.200	Division of Senior and Disability Services	31 MoReg 85	31 MoReg 101		
19 CSR 15-8.300	Division of Senior and Disability Services	31 MoReg 87	31 MoReg 103		
19 CSR 15-8.400	Division of Senior and Disability Services	31 MoReg 88R 31 MoReg 89	31 MoReg 106R 31 MoReg 106		
19 CSR 15-8.500	Division of Senior and Disability Services	31 MoReg 91	31 MoReg 110		
19 CSR 15-8.510	Division of Senior Services	31 MoReg 92R	31 MoReg 110R		
19 CSR 15-8.520	Division of Senior Services	31 MoReg 92R	31 MoReg 110R		
19 CSR 20-20.010	Division of Community and Public Health		31 MoReg 478		
19 CSR 20-20.020	Division of Community and Public Health		31 MoReg 480		
19 CSR 20-20.080	Division of Community and Public Health	31 MoReg 277	31 MoReg 488		
19 CSR 30-20.021	Division of Senior Services and Regulation	30 MoReg 2000	30 MoReg 2070 31 MoReg 324		
19 CSR 30-88.010	Division of Regulation and Licensure		31 MoReg 111		
19 CSR 60-50	Missouri Health Facilities Review Committee				31 MoReg 616
19 CSR 73-2.015	Missouri Board of Nursing Home Administrators		31 MoReg 114		
19 CSR 73-2.050	Missouri Board of Nursing Home Administrators		31 MoReg 114		
19 CSR 73-2.055	Missouri Board of Nursing Home Administrators		31 MoReg 116		
<b>DEPARTMENT OF INSURANCE</b>					
20 CSR	Medical Malpractice				29 MoReg 505 30 MoReg 481 31 MoReg 616
20 CSR	Sovereign Immunity Limits				28 MoReg 2265 30 MoReg 108 30 MoReg 2587



Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 10-1.020	General Administration		31 MoReg 544		
20 CSR 200-1.030	Financial Examination		31 MoReg 116	31 MoReg 736	
20 CSR 200-1.170	Financial Examination		31 MoReg 121	31 MoReg 736	
20 CSR 200-11.101	Financial Examination		This Issue		
20 CSR 400-1.020	Life, Annuities and Health		30 MoReg 1068		
20 CSR 400-2.170	Life, Annuities and Health	31 MoReg 191	31 MoReg 219	This Issue	
20 CSR 700-6.100	Licensing	31 MoReg 192	31 MoReg 221	This Issue	
<b>MISSOURI CONSOLIDATED HEALTH CARE PLAN</b>					
22 CSR 10-2.010	Health Care Plan	31 MoReg 193R	31 MoReg 224R	This IssueR	
		31 MoReg 194	31 MoReg 224	This Issue	
22 CSR 10-2.020	Health Care Plan	31 MoReg 198	31 MoReg 228	This Issue	
22 CSR 10-2.050	Health Care Plan	31 MoReg 199	31 MoReg 229	This Issue	
22 CSR 10-2.060	Health Care Plan	31 MoReg 200	31 MoReg 230	This Issue	
22 CSR 10-2.064	Health Care Plan	31 MoReg 202	31 MoReg 232	This Issue	
22 CSR 10-2.067	Health Care Plan	31 MoReg 202	31 MoReg 232	This Issue	
22 CSR 10-2.090	Health Care Plan	31 MoReg 204	31 MoReg 234	This Issue	

Agency	Publication	Expiration
<b>Department of Labor and Industrial Relations</b>		
<b>Division of Employment Security</b>		
8 CSR 10-4.190 State Unemployment Tax Act Dumping . . . . .	31 MoReg 5 . . . . .	June 29, 2006
<b>Workers' Compensation</b>		
8 CSR 50-2.020 Administration . . . . .	31 MoReg 83 . . . . .	June 19, 2006
<b>Department of Natural Resources</b>		
<b>Land Reclamation Commission</b>		
10 CSR 40-7.011 Bond Requirements . . . . .	31 MoReg 182 . . . . .	June 29, 2006
10 CSR 40-7.021 Duration and Release of Reclamation Liability . . . . .	31 MoReg 186 . . . . .	June 29, 2006
10 CSR 40-7.031 Permit Revocation, Bond Forfeiture and Authorization to Expend Reclamation Fund Monies . . . . .	31 MoReg 188 . . . . .	June 29, 2006
10 CSR 40-7.041 Form and Administration of the Coal Mine Land Reclamation Fund . . .	31 MoReg 189 . . . . .	June 29, 2006
<b>Department of Revenue</b>		
<b>Director of Revenue</b>		
12 CSR 10-41.010 Annual Adjusted Rate of Interest . . . . .	31 MoReg 5 . . . . .	June 29, 2006
<b>Elected Officials</b>		
<b>Secretary of State</b>		
15 CSR 30-9.020 Uniform Counting Standards—Optical Scan Voting Systems . . . . .	31 MoReg 441 . . . . .	August 16, 2006
15 CSR 30-9.020 Uniform Counting Standards—Optical Scan Voting Systems . . . . .	Next Issue . . . . .	Terminated April 30, 2006
15 CSR 30-9.020 Uniform Counting Standards—Optical Scan Voting Systems . . . . .	Next Issue . . . . .	August 16, 2006
15 CSR 30-9.030 Uniform Counting Standards—Paper Ballots . . . . .	31 MoReg 445 . . . . .	August 16, 2006
15 CSR 30-9.030 Uniform Counting Standards—Paper Ballots . . . . .	Next Issue . . . . .	Terminated April 30, 2006
15 CSR 30-9.030 Uniform Counting Standards—Paper Ballots . . . . .	Next Issue . . . . .	August 16, 2006
<b>Department of Health and Senior Services</b>		
<b>Division of Senior and Disability Services</b>		
19 CSR 15-8.100 Definitions . . . . .	31 MoReg 84 . . . . .	June 23, 2006
19 CSR 15-8.200 Eligibility . . . . .	31 MoReg 85 . . . . .	June 23, 2006
19 CSR 15-8.300 Eligibility for Non-Medicaid Eligible Program . . . . .	31 MoReg 87 . . . . .	June 23, 2006
19 CSR 15-8.400 Providers . . . . .	31 MoReg 88 . . . . .	June 23, 2006
19 CSR 15-8.400 Vendors . . . . .	31 MoReg 89 . . . . .	June 23, 2006
19 CSR 15-8.500 Hearing Rights . . . . .	31 MoReg 91 . . . . .	June 23, 2006
19 CSR 15-8.510 Informal Review . . . . .	31 MoReg 92 . . . . .	June 23, 2006
19 CSR 15-8.520 Hearing . . . . .	31 MoReg 92 . . . . .	June 23, 2006
<b>Division of Environmental Health and Communicable Disease Prevention</b>		
19 CSR 20-20.080 Duties of Laboratories . . . . .	31 MoReg 277 . . . . .	July 3, 2006
<b>Department of Insurance</b>		
<b>Life, Annuities and Health</b>		
20 CSR 400-2.170 Early Intervention Part C Coverage . . . . .	31 MoReg 191 . . . . .	June 29, 2006
<b>Licensing</b>		
20 CSR 700-6.100 Applications, Fees and Renewals—Bail Bond Agents, General Bail Bond Agents and Surety Recovery Agents . . . . .	31 MoReg 192 . . . . .	July 12, 2006
<b>Missouri Consolidated Health Care Plan</b>		
<b>Health Care Plan</b>		
22 CSR 10-2.010 Definitions . . . . .	31 MoReg 193 . . . . .	June 29, 2006
22 CSR 10-2.010 Definitions . . . . .	31 MoReg 194 . . . . .	June 29, 2006
22 CSR 10-2.020 Subscriber Agreement and General Membership Provisions . . . . .	31 MoReg 198 . . . . .	June 29, 2006
22 CSR 10-2.050 PPO and Co-Pay Provisions and Covered Charges . . . . .	31 MoReg 199 . . . . .	June 29, 2006
22 CSR 10-2.060 PPO and Co-Pay Plan Limitation . . . . .	31 MoReg 200 . . . . .	June 29, 2006
22 CSR 10-2.064 HMO and POS Summary of Medical Benefits . . . . .	31 MoReg 202 . . . . .	June 29, 2006
22 CSR 10-2.067 HMO and POS Limitations . . . . .	31 MoReg 202 . . . . .	June 29, 2006
22 CSR 10-2.090 Pharmacy Benefit Summary . . . . .	31 MoReg 204 . . . . .	June 29, 2006

Executive Orders	Subject Matter	Filed Date	Publication
<b>2006</b>			
06-01	Designates members of staff with supervisory authority over selected state agencies	January 10, 2006	31 MoReg 281
06-02	Extends the deadline for the State Retirement Consolidation Commission to issue its final report and terminate operations to March 1, 2006	January 11, 2006	31 MoReg 283
06-03	Creates and establishes the Missouri Healthcare Information Technology Task Force	January 17, 2006	31 MoReg 371
06-04	Governor Matt Blunt transfers functions, personnel, property, etc. of the Division of Finance, the State Banking Board, the Division of Credit Unions, and the Division of Professional Registration to the Department of Insurance. Renames the Department of Insurance as the Missouri Department of Insurance, Financial Institutions and Professional Registration. Effective August 28, 2006	February 1, 2006	31 MoReg 448
06-05	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Rx Plan Advisory Commission to the Missouri Department of Health and Senior Services. Effective August 28, 2006	February 1, 2006	31 MoReg 451
06-06	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Assistive Technology Advisory Council to the Missouri Department of Elementary and Secondary Education. Rescinds certain provisions of Executive Order 04-08. Effective August 28, 2006	February 1, 2006	31 MoReg 453
06-07	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Life Sciences Research Board to the Missouri Department of Economic Development	February 1, 2006	31 MoReg 455
06-08	Names the state office building, located at 1616 Missouri Boulevard, Jefferson City, Missouri, in honor of George Washington Carver	February 7, 2006	31 MoReg 457
06-09	Directs and orders that the Director of the Department of Public Safety is the Homeland Security Advisor to the Governor, reauthorizes the Homeland Security Advisory Council and assigns them additional duties	February 10, 2006	31 MoReg 460
06-10	Establishes the Government, Faith-based and Community Partnership	March 7, 2006	31 MoReg 577
06-11	Orders and directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property and to employ such equipment as may be necessary in support of civilian authorities	March 13, 2006	31 MoReg 580
06-12	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated	March 13, 2006	31 MoReg 582
06-13	The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the public health and safety during the period of the emergency and the subsequent recovery period	March 13, 2006	31 MoReg 584
06-14	Declares a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated	April 3, 2006	31 MoReg 643
06-15	Orders and directs the Adjutant General, or his designee, to call and order into active service portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and take such action and employ such equipment as may be necessary in support of civilian authorities, and provide assistance as authorized and directed by the Governor	April 3, 2006	31 MoReg 645
06-16	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	April 3, 2006	31 MoReg 647
06-17	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	April 3, 2006	31 MoReg 649
06-18	Authorizes the investigators from the Division of Fire Safety, the Park Rangers from the Department of Natural Resources, the Conservation Agents from the Department of Conservation, and other POST certified state agency investigators to exercise full state wide police authority as vested in Missouri peace officers pursuant to Chapter 590, RSMo during the period of this state declaration of emergency	April 3, 2006	31 MoReg 651
06-19	Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	April 3, 2006	31 MoReg 652
06-20	Creates interim requirements for overdimension and overweight permits for commercial motor carriers engaged in storm recovery efforts	April 5, 2006	This Issue

Executive  
Orders

## Subject Matter

## Filed Date

## Publication

2005

05-01	Rescinds Executive Order 01-09	January 11, 2005	30 MoReg 261
05-02	Restricts new lease and purchase of vehicles, cellular phones, and office space by executive agencies	January 11, 2005	30 MoReg 262
05-03	Closes state's Washington D.C. office	January 11, 2005	30 MoReg 264
05-04	Authorizes Transportation Director to issue declaration of regional or local emergency with reference to motor carriers	January 11, 2005	30 MoReg 266
05-05	Establishes the 2005 Missouri State Government Review Commission	January 24, 2005	30 MoReg 359
05-06	Bans the use of video games by inmates in all state correctional facilities	January 24, 2005	30 MoReg 362
05-07	Consolidates the Office of Information Technology to the Office of Administration's Division of Information Services	January 26, 2005	30 MoReg 363
05-08	Consolidates the Division of Design and Construction to Division of Facilities Management, Design and Construction	February 2, 2005	30 MoReg 433
05-09	Transfers the Missouri Head Injury Advisory Council to the Department of Health and Senior Services	February 2, 2005	30 MoReg 435
05-10	Transfers and consolidates in-home care for elderly and disabled individuals from the Department of Elementary and Secondary Education and the Department of Social Services to the Department of Health and Senior Services	February 3, 2005	30 MoReg 437
05-11	Rescinds Executive Order 04-22 and orders the Department of Health and Senior Services and all Missouri health care providers and others that possess influenza vaccine adopt the Center for Disease Control and Prevention, Advisory Committee for Immunization Practices expanded priority group designations as soon as possible and update the designations as necessary	February 3, 2005	30 MoReg 439
05-12	Designates members of staff with supervisory authority over selected state agencies	March 8, 2005	30 MoReg 607
05-13	Establishes the Governor's Advisory Council for Plant Biotechnology	April 26, 2005	30 MoReg 1110
05-14	Establishes the Missouri School Bus Safety Task Force	May 17, 2005	30 MoReg 1299
05-15	Establishes the Missouri Task Force on Eminent Domain	June 28, 2005	30 MoReg 1610
05-16	Transfers all power, duties and functions of the State Board of Mediation to the Labor and Industrial Relations Commission of Missouri	July 1, 2005	30 MoReg 1612
05-17	Declares a DROUGHT ALERT for the counties of Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Howell, Iron, Madison, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Pike, Ralls, Reynolds, Ripley, Ste. Francois, Ste. Genevieve, Scott, Shannon, Stoddard and Wayne	July 5, 2005	30 MoReg 1693
05-18	Directs the Director of the Department of Insurance to adopt rules to protect consumer privacy while providing relevant information about insurance companies to the public	July 12, 2005	30 MoReg 1695
05-19	Creates the Insurance Advisory Panel to provide advice to the Director of Insurance	July 19, 2005	30 MoReg 1786
05-20	Establishes the Missouri Homeland Security Advisory Council. Creates the Division of Homeland Security within the Department of Public Safety. Rescinds Executive Orders 02-15 and 02-16	July 21, 2005	30 MoReg 1789
05-21	Creates and amends Meramec Regional Planning Commission to include Pulaski County	August 22, 2005	30 MoReg 2006
05-22	Establishes the State Retirement Consolidation Commission	August 26, 2005	30 MoReg 2008
05-23	Acknowledges regional state of emergency and temporarily waives regulatory requirements for vehicles engaged in interstate disaster relief	August 30, 2005	30 MoReg 2010
05-24	Implements the Emergency Mutual Assistance Compact (EMAC) with the state of Mississippi, directs SEMA to activate the EMAC plan, authorizes use of the Missouri National Guard	August 30, 2005	30 MoReg 2013
05-25	Implements the Emergency Mutual Assistance Compact (EMAC) with the state of Louisiana, directs SEMA to activate the EMAC plan, authorizes use of the Missouri National Guard	August 30, 2005	30 MoReg 2015
05-26	Declares a state of emergency in Missouri and suspends rules and regulations regarding licensing of healthcare providers while treating Hurricane Katrina evacuees	September 2, 2005	30 MoReg 2129
05-27	Directs all relevant state agencies to facilitate the temporary licensure of any healthcare providers accompanying and/or providing direct care to evacuees	September 2, 2005	30 MoReg 2131
05-28	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated, and authorizes the use of state agencies to provide support to the relocation of Hurricane Katrina disaster victims	September 4, 2005	30 MoReg 2133



<b>Executive Orders</b>	<b>Subject Matter</b>	<b>Filed Date</b>	<b>Publication</b>
<b>05-29</b>	Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	September 4, 2005	30 MoReg 2135
<b>05-30</b>	Governor Matt Blunt establishes the Office of Supplier and Workforce Diversity to replace the Office of Equal Opportunity. Declares policies and procedures for procuring goods and services and remedying discrimination against minority and women-owned business enterprises	September 8, 2005	30 MoReg 2137
<b>05-31</b>	Assigns the Missouri Community Service Commission to the Department of Economic Development	September 14, 2005	30 MoReg 2227
<b>05-32</b>	Grants leave to additional employees participating in disaster relief services	September 16, 2005	30 MoReg 2229
<b>05-33</b>	Directs the Department of Corrections to lead an interagency steering team for the Missouri Reentry Process (MRP)	September 21, 2005	30 MoReg 2231
<b>05-34</b>	Orders the Adjutant General to call into active service portions of the militia in response to the influx of Hurricane Rita victims	September 23, 2005	30 MoReg 2233
<b>05-35</b>	Declares a State of Emergency, directs the State Emergency Operations Plan be activated, and authorizes use of state agencies to provide support for the relocation of Hurricane Rita victims	September 23, 2005	30 MoReg 2235
<b>05-36</b>	Acknowledges regional state of emergency and temporarily waives regulatory requirements for commercial vehicles engaged in interstate disaster relief	September 23, 2005	30 MoReg 2237
<b>05-37</b>	Closes state offices on Friday, November 25, 2005	October 11, 2005	30 MoReg 2383
<b>05-38</b>	Implements the EMAC with the State of Florida in response to Hurricane Wilma	October 21, 2005	30 MoReg 2470
<b>05-39</b>	Acknowledges continuing regional state of emergency, temporarily limits regulatory requirements for commercial vehicles engaged in interstate disaster relief, and rescinds orders 05-23 and 05-36	October 25, 2005	30 MoReg 2472
<b>05-40</b>	Amends Executive Order 98-15 to increase the Missouri State Park Advisory Board from eight to nine members	October 26, 2005	30 MoReg 2475
<b>05-41</b>	Creates and establishes the Governor's Advisory Council for Veterans Affairs	November 14, 2005	30 MoReg 2552
<b>05-42</b>	Establishes the National Incident Management System (NIMS) as the standard for emergency incident management in the State of Missouri	November 14, 2005	30 MoReg 2554
<b>05-43</b>	Creates and establishes the Hispanic Business, Trade and Culture Commission and abolishes the Missouri Governor's Commission on Hispanic Affairs	November 30, 2005	31 MoReg 93
<b>05-44</b>	Declares a state of emergency and activates the Missouri State Emergency Operations Plan as a result of the failure of the dam at Taum Sauk Reservoir	December 14, 2005	31 MoReg 96
<b>05-45</b>	Directs the Adjutant General to activate the organized militia as needed as a result of the failure of the dam at Taum Sauk Reservoir	December 14, 2005	31 MoReg 97
<b>05-46</b>	Creates and establishes the Missouri Energy Task Force	December 27, 2005	31 MoReg 206
<b>05-47</b>	Directs that the issuance of overdimension and overweight permits by the Missouri Department of Transportation for commercial motor carriers engaged in cleanup efforts in Reynolds County resulting from the Taum Sauk Upper Reservoir failure shall be subject to interim application requirements	December 29, 2005	31 MoReg 279

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